

# **Article 1. General Development Standards**

## **1.1 Sign Regulations**

### **A. Purpose**

The purpose of this section is to establish clear and unambiguous regulations pertaining to signs in the City of College Station and to promote thereby an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information. The City Council of the City of College Station hereby finds the following legislative facts:

1. The proliferation of signs creates commercial confusion and makes it difficult for travelers and motorists to locate the goods and services they seek.
2. The increasing height of signs within the City is an endless battle for a higher and more visible sign, and a reasonable limitation on the height of signs is necessary to prevent visual pollution, potential windstorm damage, injury or death.
3. Excessive height in signs creates clutter and is unsightly and offensive to the members of this council and many, if not most, of the citizens in College Station. The establishment of a reasonable maximum height for signs will allow effective communication, prevent altitude competition, and will not penalize smaller business concerns which may not be able to compete for aerial superiority.
4. Reasonable provisions pertaining to size, scale, location, design, lighting, permanency, and maintenance are necessary to avoid visual clutter, preserve and improve the appearance and character of the community, to avoid traffic problems caused by distracting signs or structures in close proximity to streets, which compete with traffic signs and signals for the attention of motorists, and to prevent deterioration, disregard, and abandonment of signs or structures.
5. This section will complement the provisions of the Federal Highway Beautification Act of 1972.

### **B. Applicability**

1. The City Council recognizes that signs are necessary for visual communication for public convenience, and that businesses and other activities have the right to identify themselves by using signs which are incidental to the use on the premises where the signs are located. The City Council herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against visual discord and safety hazards that result from the unrestricted proliferation, location and construction of signs. This section will insure that signs are compatible with adjacent land uses and with the total visual environment of the community, in accordance with the City's comprehensive plan for zoning and land use.

[illegible]

#### **D. Prohibited Signs**

The following signs shall be prohibited in the City of College Station:

- a.** Portable and Trailer Signs.
- b.** Off-premise signs, both commercial and non-commercial, except on City of College Station property where there has been a determination and minute order of the City of College Station City Council which finds that the display of the sign does as follows:
  - (1)** Promotes a positive image of the City of College Station for the attraction of business or business or tourism;
  - (2)** Depicts an accomplishment of an individual or group; and
  - (3)** Creates a positive community spirit.
- c.** Upon such order, the City of College Station can authorize, upon approved construction plans, the following:
  - (1)** A sign on a City of College Station water tower;
  - (2)** An entrance sign to be located on City of College Station property such that it is visible from the Highway Six East By-pass; or
  - (3)** A sign to be located on City rights-of-way.  
Said sign shall be displayed for a period ordered by the City Council or as may be decided by it from time to time.
- d.** Signs painted on roof tops.
- e.** Banners or flags containing copy or logo, excluding the flags of any country, state, city or school are prohibited in residential zones and on any residentially developed property (except when flags are used as subdivision signs). Flags as described in Sections E and R of this ordinance will be permitted.
- f.** Signs and displays with flashing, blinking or traveling lights, or erratic or other moving parts, either internal or external to the premise, and oriented and visible to vehicular traffic, provided that time and temperature signs are permissible if the maximum area and setback requirements of this section are met and if the commercial information or content of such signs is restricted to no more than eight square feet.
- g.** Any signs which are intended to or designed to resemble traffic signs or signals and bear such words as "stop", "slow", "caution", "danger", "warning",

or other words, and which are erected for purposes other than actual traffic control or warning to the public.

- h.** Any sign which emits sound, odor or visible matter.
- i.** Banners are prohibited in residential zones and on any residentially zoned property. Banners will be treated as attached or freestanding signs, as applicable, when used on commercial or industrial properties.

#### **E. Exempt Signs**

The following signs are exempt from the requirements of this UDO:

- a.** Signs that are not easily read from beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or traveled right-of-way. Such signs are not exempt from the safety regulations contained herein and in City building and electrical codes.
- b.** Official notices posted by government officials in the performance of their duties; government signs controlling traffic, regulating public conduct, identifying streets, or warning of danger. (Bulletin boards or identification signs accessory to government buildings or other buildings are subject to the provisions of this ordinance.)
- c.** Temporary signs erected by private property owners for the purpose of warning of a dangerous defect or condition, or other hazard to the public.
- d.** Non-commercial signs on private property or works of art that in no way identify or advertise a product or business, or by their location and placement impede traffic safety.
- e.** Temporary decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, local or religious celebration.
- f.** Temporary or permanent signs erected by public utilities or construction companies to warn of the location of pipelines, electrical conduits, or other dangers or conditions in public rights-of-way.
- g.** Signs that are displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name or the type of business, that are located on moving vans, delivery trucks, trailers and other commercial vehicles; but only if the primary purpose of such vehicles is not for the display of the signs thereon, and only if such vehicles are parked or stored in areas appropriate to their use as commercial or delivery vehicles, such as service areas or locations close to the business building(s) away from public traffic areas.

- h. Signs carried by a person and not set on or affixed to the ground.
- i. Outdoor advertising display signs for sponsors of charitable events held on public properties. These signs may be displayed for the duration of the event or not more than three days with approval of the City Manager.
- j. Flags used as political symbols being the United States and Texas flags only.
- k. Flags used solely for decoration and not containing any copy or logo and located only in multi-family, commercial, and industrial districts or developments. In multi-family developments, such flags will be restricted to 25 square feet in area, 30 feet in height, and the number shall be restricted to no more than twelve flags per building plot.
- l. Balloons and/or other gas filled objects located in any zoning district; which balloon and/or gas filled object shall not exceed 20 feet in height and shall not contain or display any logo but shall be used solely for decorative purposes.

## F. The Sign Regulations

The following summarizes the sign regulation for the City of College Station:

### Summary of Sign Regulations

Sign Type	Maximum Area (SF)	Maximum Height (ft.)	Setback from ROW	Number Allowed	Permit Required
Apartment/Condominium/Manufactured Home Park Identification Signs	100	10	10		X
Area Identification Signs	16	4	10		X
Attached Signs					
Development Signs	35 on 50 ft. ROW 65 on 60 ft. ROW 150 on 70 ft. ROW 250 on 70 ROW	15	10		X
Directional Traffic Control Signs	3	4	4		
Freestanding Signs	100	10	10		X
Home Occupation Signs					
Non- Commercial Signs			10		
Real Estate, Finance and Construction Signs	16 for less than 150 ft. frontage 32 for grater than 150 ft. frontage	8	10		
Roof Signs	100	10	10		X
Subdivision Sign	150	15	10		X

## **G. Subdivision and Area Identification Sign**

1. Area Identification Signs shall be permitted upon private property in any zone to identify subdivisions of ten to 50 acres in size and subject to the requirements set forth in Section F above. Area Identification Signs may also be used within a large subdivision to identify distinct areas within that subdivision, subject to the requirements in Section F above;
2. Subdivision Signs shall be permitted upon private property in any zone to identify subdivisions of greater than 50 acres, subject to the requirements set forth in Section F above;
3. Both Area Identification and Subdivision Signs must be located on the premises as identified by a preliminary or master preliminary plat of the subdivision. Subdivision Signs will be permitted only at major intersections on the perimeter of the subdivision (intersection of two collector or larger streets). At each intersection either one or two Subdivision Signs may be permitted so long as the total area of the signs does not exceed 150 square feet. Banners or flags may be utilized as Subdivision Identification Signs but the overall height shall not exceed 60 feet; and
4. Indirect lighting is permissible but no optical effects, moving parts or alternating, erratic or flashing lights shall be permitted. Landscaping valued at 250 points shall be installed around each subdivision sign. Adequate arrangements for permanent maintenance of all signs and any landscaping in conjunction with such signs shall be made, which may be through an owners association if one exists or is created for this purpose.

## **H. Apartment/Condominium/Manufactured Home Park Identification Sign**

1. An Apartment/Condominium/Manufactured Home Park Identification Sign may be either an attached sign or a freestanding sign. It shall be placed upon the private property of a particular multi-family project in the appropriate zone established in Section C above subject to the requirements set forth in Section F of this ordinance;
2. The Apartment/Condominium/Mobile Home Park Identification Sign shall list the name and facilities available and may have leasing or sales information incorporated as a part of the sign;
3. An apartment or condominium project must have a minimum of 24 dwelling units to qualify for an identification sign;
4. Indirect lighting is permissible, but no optical effects, moving parts, or alternating, erratic or flashing lights or devices shall be permitted; and
5. Any Manufactured Home parks existing at the time of this ordinance that are non-conforming may still utilize an identification sign meeting the provisions of this section and Section F above.

## **I. Development Sign**

1. A development sign may be placed only on private property subject to the requirements in Section F above;
2. A development sign for a building project shall be removed if the project has not received a Building Permit at the end of twelve months. The Administrator may renew the sign permit for one additional twelve month period upon request. Once a Building Permit for the project is received, the sign may stay in place until 75 percent of the project is leased or a permanent sign is installed, whichever comes first; and
3. A development sign for a proposed subdivision shall be removed if a preliminary or final plat has not been approved by the end of twelve months. The Administrator may renew the Sign Permit for one additional twelve month period upon request. Once a plat has been approved, the Sign Permit is valid as long as a preliminary plat is in effect, or in the absence of a valid preliminary plat, for 24 months from the date of approval of a Final Plat.

## **J. Directional Traffic Control Sign**

Directional Traffic Control signs may be utilized as traffic control devices in off-street parking areas subject to the requirements set forth in Section F above. Logo or copy may be permitted but shall be less than 50% of the area of the directional sign. No directional traffic control sign shall be permitted within or upon the right-of-way of any public street unless its construction, design, and location have been approved by the City Traffic Engineer.

## **K. Portable Signs**

Portable Signs are not permitted within the City Limits of the City of College Station.

## **L. Real Estate/Finance/Construction Signs**

1. One Real Estate Sign not exceeding sixteen square feet in total area (exclusive of stakes and posts) may be erected at any time while a property is offered for sale or lease to the public. Properties with a minimum of 150 feet of frontage shall be allowed one Real Estate Sign not exceeding 32 square feet in total area. Properties with a minimum of two acres and frontage on two streets shall be allowed one real estate sign on each frontage street with the area of the sign to be determined by the amount of frontage as stated above.
2. One Finance Sign and three Construction Signs (for a total of four signs), not exceeding 16 square feet in total area each (exclusive of stakes and posts) may be erected once a building permit has been issued on a property. Properties with a minimum of ten acres and 1,000 feet of frontage shall be allowed one finance sign and three construction signs not exceeding 32 square feet in total area each.
3. Real Estate, Finance and Construction Signs may be either attached or freestanding and only those visible from the street are limited in number.

4. All such signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair. Such signs shall be removed by the property owner or other person in control of the premises if they are damaged, broken or incapable of remaining erect.
5. Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased and/or when performance under the construction contract or subcontract (in the case of Construction Signs) has been completed. In all cases, Financing and Construction Signs shall be removed prior to issuance of a certificate of occupancy.

**M. Non-Commercial Signs: Political Signs**

This section does not regulate the size, content or location of Non-Commercial Signs, Political Signs except as follows:

1. No commercial message shall be shown on any Non-Commercial Sign.
2. No Non-Commercial Sign.
  - a. May be located within public road right-of-way of the State of Texas;
  - b. May be located off the premises of the property owner who is displaying the sign;
  - c. May exceed the restrictions set forth in Section of this ordinance;
  - d. May be located within any sight distance triangle as defined by this UDO or where determined by the City Manager or his designate as a location that would hinder intersection visibility.
  - e. May be located within the City right-of-way adjacent to undeveloped property.

This provision is necessary to avoid clutter, proliferation, and dangerous distraction to drivers caused by close proximity of such signs to automobile traffic, to avoid damage to automobiles which may leave the paved surface intentionally or by accident, and to avoid the necessity for pedestrians to step into the roadway to bypass such signs. No regulatory alternative exists to accomplish this police power obligation.

3. In the event that any Political Sign is located in a public right-of-way of the State, it shall be removed by the City.
4. All Political Signs shall be removed within ten days after the election.

**N. Home Occupation Signs**

A person having a legal home the building or porch of a residence. No permit is required.



1. The sign may contain only the name and occupation of the resident;
2. It shall be attached directly to the face of the building or porch;
3. It shall not exceed two square feet in area, shall not be illuminated in any way, and shall not project more than 24 inches beyond the building or occupation may display a Home Occupation sign on the face of porch;
4. No display of merchandise or other forms of commercial communication shall be allowed within a residential area, unless same are in existence prior to the adoption of this section in connection with a use which is presently a lawful non-conforming use within the district; and
5. Such Non-Conforming Signs may be maintained until the Non-Conforming Uses of the building cease, subject to the requirements for maintenance herein.  
Discontinuance of the use of such a sign for more than three months shall prevent future use, even if the Non-Conforming Use of the premises is continuous.

**O. Roof signs**

Roof signs shall be regulated as freestanding signs.

**P. Freestanding Commercial Sign**

1. Freestanding Commercial Signs are allowed only on developed commercial property established in the appropriate zone as set forth in Section C above. One freestanding sign shall be allowed in the CO zone only when the premise has a minimum of two acres, subject to the requirements set forth in Section F above. One low profile sign shall be allowed in the CO zone when the premise has less than two acres subject to the requirements set forth in Section F above. Height, area and setback requirements for all other freestanding signs are found in Tables I and II.
2. A premise with less than 75 feet of frontage shall be allowed to use one low profile sign.
3. A premise with more than 75 feet of frontage shall be allowed to use Table I standards for one freestanding sign rather than one low profile sign.
4. A premise with more than 150 feet of frontage shall be allowed to use Table I standards for one freestanding sign or any number of low profile signs as long as there is a minimum separation between signs of 150 feet.
5. Premises with less than 75 feet of frontage may be combined in order to utilize signage corresponding to the resulting frontage as described in the preceding two paragraphs.
6. The sign applicant may elect the frontage street where two streets at the corner are classified the same on the thoroughfare plan. If on two differently classified streets, then the greater shall be considered the frontage street.

7. No more than one freestanding sign shall be allowed on any premises except when all of the following conditions are met:
- a. The site must be zoned C-1, C-2, C-3, C-B, M-1 or M-2.
  - b. The site must be 25 acres or more in area.
  - c. The site must have 1,000 feet (or more) of continuous unsubdivided frontage on any major arterial street (as classified in the thoroughfare plan) toward which one additional freestanding sign is to be displayed.

Balloons or gas-filled objects may be used for display or advertising for special events with no required permit. Maximum height 60 feet. One use allowed for three days maximum time per premise per 30 day period.

Allowable Areas For Freestanding Signs	
Frontage (Feet)	Maximum Area (Sq. Ft.)
0-50	25
51-100	50
101-150	75
151-200	100
201-250	125
251-300	150
301-350	175
351-400	200
401-450	225
451-500	250
501-550	275
551-600+	300

Allowable Heights For Freestanding Signs	
Distance (Feet)	Height (Feet)
10-15	4.5
15-20	8.0
20-25	11.0
25-30	14.0
30-35	16.0
35-40	19.0
40-45	21.0
45-50	23.0
50-55	26.0
55-60	29.0
60-65	31.0
65-70	34.0
70+	35.0
100+	50.0

**Q. Attached Signs**

Attached are commercial signs under this section. An attached sign shall advertise only the name of, uses of, or goods or services available within the building to which the sign is attached. Such sign shall be parallel to the face of the building, shall not be cantilevered away from the structure, and shall not extend more than one foot from any exterior building face, mansard, awning or canopy. There shall be no painted roof signs.

**R. Flags**

One freestanding corporate flag per premise, not to exceed 40 feet in height or 100 sq.ft. in area is allowed in multi-family, commercial, and industrial zones or developments.

**S. Fuel Price Sign**

Service stations will be allowed one sign per site, the area of which shall not exceed 16 square feet and will not be included in the allowable area of any freestanding sign. This sign cannot be located within the right-of-way.

**T. Signs For Conditional Uses**

1. Signs for Conditional Uses shall comply with the regulations for the zoning district in which the conditional use is permitted. An applicant wishing to propose signage using the requirements of a zoning district different from the one in which the Conditional Use is permitted must receive approval from the Planning and Zoning Commission as part of the Conditional Use permit process.
2. After receipt of a recommendation of the Administrator, the Planning and Zoning Commission may permit the requirements of a different zoning district to be used for the purposes of signage when the Commission finds:
  - a. That the proposed signage is compatible with signage allowed in surrounding zoning districts.
  - b. That the proposed signage meets the intent of this section; and
  - c. That the proposed signage is in harmony with the development policies, and goals and objectives embodied in the Comprehensive Plan for development of the City.

**U. Abandoned, Damaged, or Unsafe Signs**

1. The provisions of this section shall apply when in conflict with the provisions of the Building Code, but where the provisions of both ordinances are not inconsistent, the enforcement of either shall be permissible and remedies or penalties cumulative;
2. All abandoned signs and their supports shall be removed within 60 days from the date of abandonment. All damaged signs shall be repaired or removed within 60

days. The Administrator shall have authority to grant a 30 day time extension where he determines there is a reasonable necessity for same; and

3. Discontinuance of use or removal of any non-conforming sign or any sign in connection with a non-conforming use shall create a presumption of an intent to abandon said sign. A non-conforming sign that is damaged and not repaired within 60 days shall be presumed to be abandoned.

## 1.2 Landscaping and Tree Protection

### A. Application of Section

1. The landscaping requirements of this section apply to all land located in the City of College Station and proposed for site development, but do not apply to single family, townhome or duplex uses. The landscaping requirements shall apply to Manufactured Home Parks but not to an individual Manufactured Homes on separately subdivided lots. Landscaping requirements shall become applicable to each individual lot at the time of site plan submittal.

All landscaping/streetscaping requirements under this section shall run with the land and shall apply against any owner or subsequent owner.

2. Each phase of a phased project shall comply with this section.

### B. Landscaping Requirements

1. The landscaping requirements shall be determined on a point basis by the following:
  - a. **Landscape Points** required = 30pts. Per 1000 square feet of site area;
  - b. The minimum number of points for any development is 500 points;
  - c. Floodplains may be removed from site size calculations but then the existing trees within the floodplain may not be claimed for points; and
  - d. Projects may be phased with the phase lines being drawn 20 feet beyond any new site amenity. The portion left for subsequent phases shall be of developable size and quality.
2. Point values will be awarded for any type of canopy tree, non-canopy tree and shrub, provided that the species claimed for point credit are not listed on the Non-Point Tree List as prepared by the City Forester.

Accrued landscaping points are expended on landscaping material with the following point values: (all caliper measurements are at twelve inches above the ground)

Plant Material Point Values		
Plant Material	Points Accrued	Installed Size Caliper (Inches)
New Plantings		

Canopy Tree	75 150 300	1.5 to 2 2.1 to 3.4 3.5 and larger
Non-canopy Tree	40	1.25 and larger
Shrubs	10	Min. 5 gallon
<b>Existing Plants*</b>		
<b>Trees Not Within Barricade Area</b>		
Canopy Tree	35	2 to 14.5
Non-canopy Tree	40	1.25 and larger
<b>Trees Within Barricade Area</b>		
Canopy Tree	200 300	Between 4 and 8 8 and larger
Non-canopy Tree	75 150	Between 2 and 4 4 and larger

\*To receive landscape points, all existing trees must be in good form and condition and reasonably free of damage by insects and/or disease.

3. 100% coverage of groundcover or grass is required in parking lot islands, swales and drainage areas and the 24 foot landscape reserve unless otherwise landscaped or existing plants are preserved. 100% coverage of groundcover or grass is also required in all unpaved portions of street or highway right-of-way on or abutting the property and adjacent property that has been disturbed during construction.  
If grass is to be used for groundcover, 100% live grass groundcover is required whether by solid sod overlay or preplanting and successful takeover of grasses.
4. Every project must expend a minimum of 50% of its point total on canopy trees.
5. Every development must employ an irrigation system.
6. Additional Point Credits include:
  - a. A ten percent (10%) point credit will be awarded if 25% or more of parking area consists of enhanced paving; and
  - b. A ten percent (10%) point credit for every one- percent (1%) of site area devoted to special facilities (fountains, benches and planters, water features, etc.).
7. **Separation Requirement**
  - a. Canopy trees must be planted at a minimum of 20 feet from other canopy trees; and
  - b. Live Oaks (*Quercus virginiana*) must be planted at a minimum of 35 feet from other Live Oaks.
8. **Dispersal Requirement**  
Landscaping must be reasonably dispersed throughout all visible areas of the site.

### **C. Streetscape Requirements**

1. Along all major arterials and freeways one canopy tree for every 25 feet of frontage shall be installed. Two non-canopy trees may be substituted for each one canopy tree. Canopy and non-canopy trees must be selected from the Streetscape Plant List and may be grouped as desired. One existing tree (minimum of four inches caliper) may be substituted for each new tree. New trees must be planted within 50 feet of the property line along the street.
2. Along minor arterials, one canopy tree for every 32 feet of frontage shall be installed. Two non-canopy trees may be substituted for one canopy tree. Canopy and non-canopy trees must be selected from the Streetscape Plant List and may be grouped as desired. One existing tree (minimum of four inches caliper) may be substituted for each new tree. New trees must be planted within 50 feet of the property line along the street.
3. Parking areas adjacent to a ROW shall be screened for any development if parking is located between a building and a street right-of-way. Screening may be accomplished using plantings, berms, structural elements, or combinations thereof, and must be a minimum of three feet above the parking lot pavement elevation.
4. Dumpsters, concrete retaining walls where more than six vertical inches of untreated concrete are visible, off-street loading areas, utility connections, and any other site characteristics that could be considered visually offensive must be adequately screened.
5. Vegetation must be set back 20 feet from any driveway curb and 45 feet from the curb at intersections of streets. The unobstructed vertical field of vision must be between 2'6" and 9' in height.
6. Live Oaks must be planted a minimum of 30 feet behind the street curb.
7. Three hundred (300) additional points shall be provided for every 50 lineal feet of frontage on a major or minor arterial. Driveway openings, sight clearance triangles, and other traffic control areas may be subtracted from total frontage.
  - a. A ten percent (10%) point credit will be awarded if twenty-five percent (25%) or more of parking area consists of enhanced paving.
  - b. A ten percent (10%) point credit for every one percent (1%) of site area devoted to special facilities (water features, etc.).

### **D. Streetscape Plant List**

#### **1. Canopy Trees**

Cedar Elm (*Ulmus crassifolia*)  
Live Oak (*Quercus virginia*)  
Winged Elm (*Ulmus alata*)

Water Oak (*Quercus nigra*)  
Chinese Pistache (*Pistacia chinensis*)  
Post Oak (*Quercus stellata*)  
Burr Oak (*Quercus macrocarpa*)  
Goldenrain Tree (*Koelreuteria paniculata*)  
Bald Cypress (*Taxodium distichum*)  
Willow Oak (*Quercus phellow*)  
Red Oak (*Quercus shumardii*)

## **2. Non-Canopy Trees**

Red Bud (*Cercis canadensis*)  
Tree Yaupon (*Ilex vomitoria*)  
Crabapple (*Malus species*)  
Tree Crepe Myrtle (*Lagerstroemia indica*)  
Shining Sumac (*Rhus copalina*)  
Possumhaw (*Ilex decidua*)  
Hawthorn (*Crateagus L.*)  
Bradford Pear (*Pyrus species*)  
Texas Mt. Laurel (*Sophora secundiflora*)  
Mexican Plum (*Prunus mexicana*)  
Rusty Blackhaw viburnum (*Viburnum rufidulum*)

## **E. Landscape/Streetscape Plan Requirements**

- 1.** When a landscape/streetscape plan is required, the landscape/streetscape plan shall contain the following:
  - a.** The location of existing property lines and dimensions of the tract.
  - b.** The location of existing and proposed utilities and all easements on or adjacent to the lot.
  - c.** An indication of adjacent land uses, existing development and roadways.
  - d.** An irrigation system plan.
  - e.** Landscape information:
    - (1)** Landscape points required for site and calculations shown
    - (2)** A table showing the size, type (canopy, non-canopy, shrub) and points claimed for proposed landscaping.
    - (3)** Location of landscape plants on plan.

**f. Streetscape Information**

- (1)** Streetscape points required for site and calculations shown.
  - (2)** A table showing the scientific and common plant names, size, type (canopy, non-canopy, and shrub), and points claimed for proposed streetscaping.
  - (3)** Location of streetscape plants on plan.
- g.** The location and diameter of protected existing trees claimed for either landscape or streetscape requirements, and an indication of how the applicant plans to barricade the existing trees from damage during construction.

**F. Maintenance and Changes**

- 1.** Landscaping/Streetscaping shall be maintained and preserved in accordance with the approved Landscape/Streetscape plan. Replacement of dead landscaping/streetscaping must occur within 45 days of notification by the Administrator or his delegate. Replacement material must be of similar character and the same or higher point total as the dead landscaping. Failure to replace dead landscaping, as required by the Administrator, shall constitute a violation of this section of the ordinance for which the penalty provision may be invoked.
- 2.** Landscaping/Streetscaping Changes to Existing Sites
  - a.** If changes constituting 25% or more of the number of canopy and non-canopy trees are proposed, a revised landscape plan must be submitted for approval. Planting must occur pursuant to this approved landscape plan.
  - b.** Revised Landscape/Streetscape Plans shall meet the requirements of the Landscape/Streetscape Ordinance in effect at the time of the revised landscape/streetscape plan submittal.

**G. Completion and Extension**

The Administrator or his delegate shall review all landscaping for completion in compliance with this section and the approved landscape/streetscape plan. Landscaping/streetscaping shall be completed in compliance with the approved plan before a Certificate of Occupancy is issued. However, the applicant may receive an extension of four months from the date of the Certificate of Occupancy upon the approval of an application for extension with a bond or letter of credit in the amount of Five (\$5.00) Dollars times the number of landscape/streetscape points required for the project. Failure to complete the landscaping/streetscaping according to the approved landscape/streetscape plan at the expiration of the bond or letter of credit shall constitute for forfeiting the bond or cashing of the letter of credit by the Administrator or his delegate. Also, failure to complete the approved landscaping shall constitute a violation of this section.



#### **H. Review and Approval**

Landscape plans shall be reviewed by the appropriate staff or reviewing body.

#### **I. Parking, Storage or Display**

Parking, storage or display of vehicles or merchandise on required landscape/streetscape areas or required islands shall be considered a violation of this ordinance.

#### **J. Alternative Compliance Permitted**

Variations to the requirements of this section may be approved if the landscape plan is sealed by a registered landscape architect. Such plans must show reasonable evidence that the requirements as set forth in this section were used as a guide.

### **1.3 Buffer Requirements**

#### **A. Screening Fences Required**

1. Where there is a common side or rear lot line or lot lines between commercial or industrial land and developed residential areas, the owner of said commercial or industrial land shall erect a fence that properly screens adjacent residential lots from adverse influences such as noise, vehicular lights, trespass, and other adverse influences.
2. Where there is a common side or rear lot line or lot lines between apartment land and developed single family residential land, the owner of the apartment land shall erect a fence that will properly screen adjacent single family residential land from adverse influences such as noise, vehicular lights, trespass, and other adverse influences.
3. Such screening fences may be made of any material but shall be at least six feet in height and shall form a solid continuous screen between the residential and non-residential land uses. In the case of rear lot lines such screening fence shall be continued from one side lot line along the rear lot line to the other side lot line. In the case of side lot lines, such screening fence shall be continued from the rear lot line along the side lot line to the front setback line but no farther than a point fifteen feet from the street right-of-way line. Each such screening fence shall be maintained in good condition by the owner of said business, commercial or industrial project, for as long a time period as may be needed to protect adjacent residential land uses. Fence shall be erected prior to construction.

### **1.4 Flood Hazard Protection**

#### **A. Purpose and Authority**

##### **1. Authority**

This section is adopted under the authority of the constitution and laws of the State of Texas, including particularly Chapter 231, Acts of the 40th Legislature, Regular Session, as heretofore or hereafter amended, compiled as Article 974a, V.A.C.S.,

the provisions of Section 4 of the Municipal Annexation Act as heretofore or hereafter amended, compiled as Article 970a, V.A.C.S., and in Article 1175, V.A.C.S., as heretofore or hereafter amended, and pursuant to the provisions of the Charter of the City of College Station, Texas.

## **2. Purpose**

It is the purpose of this section to protect, maintain and enhance the public health, safety and general welfare by establishing minimum requirements and procedures to control the adverse impacts associated with the increased stormwater flows generated by development. It is also the purpose of this section to enhance the public health, safety and welfare by furthering the goals and objectives of the City of College Station Comprehensive Plan and all of its elements. The following objectives will minimize public and private losses due to flooding, erosion and sedimentation.

- a.** To protect human life and health;
- b.** To minimize the expenditure of public money for costly flood and erosion control projects;
- c.** To minimize the need for relief and rescue efforts associated with flooding and generally undertaken at the expense of the general public;
- d.** To minimize the damage to public facilities and utilities such as water and sewer lines, streets, and drainage structures;
- e.** To help maintain a stable tax base for the City by providing for the sound use and development of all areas in such a manner as to minimize future areas of flooding;
- f.** To establish review, approval, and permit procedures for the methods of handling, conveying, and disposing of stormwater flows within the corporate limits and extraterritorial jurisdiction of the City, and insure the review by the appropriate authority of the design, analysis, construction and maintenance of all drainage facilities according to the provisions of this ordinance and the Drainage Policy and Design Standards;
- g.** To restrict or prohibit development which is dangerous to health, safety, or property during flooding conditions, or causes unacceptable increases in water surface elevations or velocities;
- h.** To require that uses vulnerable to floods, or flooding, including public and private facilities which serve such uses, be protected against flood damage at the time of initial construction;
- i.** To provide authoritative guidance in the alteration of any natural stream course, flood plain, or their associated protective barriers which are involved in the accommodation of floodwaters;

- j. To prevent the construction of barriers which will divert stormwater flows and subject other lands to increased flood hazard;
- k. To provide authoritative guidance in the modification of ground cover to minimize erosion and sedimentation;
- l. To ensure that potential property owners are notified if the property is included in an area of special flood hazard; and
- m. To control filling, grading, dredging, and other development which may increase flood damage.

## **B. General Provisions and Applicability**

### **1. Lands to Which the Flood Hazard Protection Apply**

This section shall apply to all lands within the corporate limits and the extraterritorial jurisdiction of the City of College Station, Texas as adjusted from time to time by the action of the City Council.

### **2. Establishment of City Drainage Policy and Design Standards**

- a. All design, construction plans, as-built construction plans, plats, zoning change requests, site plans, building permit applications and all items relating to stormwater flows shall be in accordance with the approved Drainage Policy and Design Standards.
- b. Proposals for amendment to or revision of the Drainage Policy and Design Standards shall be submitted to the City Council by the City Engineer.

### **3. Establishment of Development Permit**

Issuance of a duly approved development permit shall be required prior to any development, as defined herein, to insure conformance to the provisions and requirements of this section.

#### **a. Exception**

The following uses shall be exempt from the permitting requirements of the ordinance but must otherwise meet all of the requirements of the ordinance and the Drainage Policy and Design Standards:

- (1) Customary and incidental grounds maintenance, landscaping and gardening;
- (2) Improvements by a homeowner on property used as their principal residence where that property lies outside of the designated Area of Special Flood Hazard; and
- (3) Uses by a landowner of their property for bona fide agricultural purposes where that property lies outside of the designated Area of Special Flood Hazard.

#### **4. Compliance**

No structure, permanent or otherwise or land, shall hereafter be located, substantially improved, platted, replatted, subdivided, have its use changed, or have its drainage pattern changed, without full compliance with the terms and provisions of this section, the Drainage Policy and Design Standards, and other applicable regulations. The provisions of this section shall apply to and be binding on any and all persons, firms, or corporations who singly or jointly seek to develop, redevelop, grade, regrade, excavate, landfill, berm, dike, or otherwise change existing land within the corporate limit of the City, or its Extraterritorial Jurisdiction.

##### **a. Interpretation**

In the interpretation and application of this section, all provisions shall be: (1) considered as minimum requirements; (2) liberally constructed in favor of the governing body, health and safety, and (3) deemed neither to limit nor repeal any other powers granted under State statutes. The City Engineer shall interpret and apply this section. If the City Engineer determines that the meaning of a word, provision or requirement is unclear, or that its application to a particular circumstance is uncertain, or upon written request for an interpretation by any interested party, the City Engineer shall prepare a written interpretation or determination, setting forth the reasons, explanations and conclusions regarding the interpretation.

##### **b. Abrogation and Greater Restriction**

This section is not intended to repeal, abrogate or impair any existing easements, covenants, or deed restrictions; however, where this section and another conflict, or overlap, whichever imposes the more stringent restrictions, under the interpretation of the City Engineer, and subject to the provisions of interpretation defined above, shall apply.

##### **c. Warning and Disclaimer of Liability**

The degree of flood protection accorded by the requirements of this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations which are consistent with accepted engineering principles and practice. Floods from stormwater flows can and will occur which are greater than those indicated or referenced under this section, and water surface elevations may be increased by man-made or natural causes beyond the scope of this section. This section does not imply that land outside the areas of special flood hazard, or uses permitted within such areas will be free or protected from flooding or flood damages. This section shall not be construed as warranting any such protection or freedom. This section shall not create liability on the part of the City, the City Engineer of this chapter, or any office or employee of the City, or for any flood damages resulting from reliance on or compliance with the provisions and requirements of this section or any administrative decision lawfully made thereunder.

##### **d. Exception**

Any development in an approval process prior to adoption of this UDO shall be excepted from the provisions and requirements of this section. However, said development shall be required to comply with all applicable provisions and requirements, and all applicable ordinances and regulations in effect prior to adoption of this ordinance. Developments shall be considered in an approval process given one or more of the following conditions apply:

- (1) An acceptable application for Building Permit has been filed with all requirements for that application having been met within 90 days of the date of adoption of this UDO;
- (2) An acceptable Final Plat, with all construction drawings, has been submitted, subject to the requirements of Section Article 2 of this ordinance, within 180 days of the date of adoption of this UDO; and
- (3) An acceptable site plan has been submitted, subject to the requirements of this UDO, within 90 days of the date of adoption of this ordinance.

## **C. Special Provisions**

### **1. National Flood Insurance Program**

The National Flood Insurance Program (NFIP) is a federal program enabling property owners to purchase flood insurance. This program is based on an agreement between local communities and the federal government that if a community will implement programs to reduce future flood damages, the federal government will make flood insurance available within the community as a financial protection against flood losses. The United States Congress established the NFIP with the National Flood Insurance Act of 1968 and later modified and broadened the program. The NFIP is administered by the Federal Emergency Management Agency (FEMA). The following provisions are in accordance with the requirements for participation in the NFIP.

### **2. Establishment of Areas of Special Flood Hazard**

The basis for identification of the Areas of Special Flood Hazard shall be the most current engineering report entitled "Flood Insurance Study for the City of College Station, Texas" as accepted by FEMA and the Federal Insurance Administration, including the accompanying Flood Insurance Rate Maps and Flood Hazard Boundary Maps showing the floodway. The current report is dated January 2, 1981; however, any revisions, amendments, or updated studies accepted by FEMA and the Flood Insurance Administration shall be adopted by reference and are hereby declared to be a part of this section. The most current Flood Insurance Study shall be used for all determinations of flood insurance rates, floodways, and additional revisions as they become available. The current Flood Insurance Study, FIRM, FHBM, along with any revisions or amendments shall be maintained and made available by the designated City Engineer of the Stormwater Management Program.

### **3. Revision or Amendment of Flood Insurance Study**

Any revision or amendment to the Flood Insurance Study which is requested by a land owner in the City shall be submitted to the designated City Engineer of the Stormwater Management Program in accordance with the requirements set forth in the Drainage Policy and Design Standards. All requests for Map Amendment must be approved by the City Engineer in writing prior to their submission to FEMA. If modification of any watercourse is involved, an effective Conditional Letter of Map Amendment shall be on file with the City Engineer prior to any development. All submittals to FEMA shall be made at no cost to the City.

### **4. Methods of Reducing Flood Damage**

In order that the purposes of this section shall be accomplished in accordance with Section 1, the following methods, measures, requirements, and practices may be utilized by the City Engineer in accordance with the Drainage Policy and Design Standards:

- a. Limit peak stormwater flows after development to that which existed before development;
- b. Limit, control, or prevent changes in the path of stormwater flows across or away from a site or development;
- c. Limit, control, or prevent alterations to existing watercourses and drainage facilities either inside or outside existing Areas of Special Flood Hazard;
- d. Limit, control, or prevent the alteration of natural or developed Areas of Special Flood Hazard, channels, or protective barriers which are necessary to accommodate flood waters;
- e. Limit, control, or prevent the use of existing or proposed drainage easements such that the easement remains useful for its intended purpose;
- f. Limit, control, or prevent the construction of barriers which may increase flood hazards to other lands or facilities;
- g. Establish or cause to be established adequate drainage easements and/or rights of way to control development and limit potential flood damage and protect existing or proposed drainage facilities;
- h. Limit, control, or prevent dumping of refuse, fill, garbage, grass clippings, brush, waste concrete, or other materials in existing drainage facilities including swales, streets, inlets, ditches, storm sewers, culverts, etc.;
- i. Limit, control, or prevent filling, grading, clearing, dredging, paving, berming, or other earthwork which may increase stormwater flows, change drainage pathways, increase erosion and sedimentation, or increase flood hazard or damage from flooding;

- j. Limit, control or prevent development which is dangerous to health, safety or property by causing increases in water surface elevations, velocities, or flowrates which exist prior to such development;
- k. Limit, control, or prevent development which is vulnerable to flood damage or require that said development shall be adequately protected against said flood damage at the time of construction; and
- l. Require adequate maintenance of drainage facilities such that they retain their capacity for conveyance of stormwater flows.

**5. Special Provisions For Areas of Special Flood Hazard**

In all areas of Special Flood Hazard where base flood elevations have been determined in accordance with this section, the following provisions shall apply:

- a. All new construction, any substantial improvement to a structure, and appurtenances shall be securely anchored to prevent flotation, collapse or lateral movement;
- b. All new construction, any substantial improvement to a structure, and appurtenances shall be constructed in such a manner as to minimize flood damage; and, all electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- c. New and replacement sanitary sewage systems, including but not limited to septic tanks and drain fields, package treatment plants, etc., shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the system into flood waters;
- d. New and replacement water supply systems including wells, treatment plants, distribution facilities, etc., shall be designed to prevent infiltration of flood waters into the system;
- e. Solid or liquid waste disposal sites or systems shall be designed and located to avoid contamination from them during flooding and to avoid impairment of their operation during times of flooding;
- f. All new construction or any substantial improvement of any residential structure shall have the lowest floor, including any basement, at an elevation at least one foot above the base flood elevation, and certification that this standard has been satisfied shall be submitted to the City Engineer, said certification shall bear the dated seal and signature of a registered professional engineer or registered public surveyor on the form provided by the City Engineer;
- g. All new construction or any substantial improvement of any commercial, industrial, or other non-residential structure shall either have the lowest floor,

including basements, elevated at least one foot above the base flood elevation or the structure with its attendant utility and sanitary facilities shall be floodproofed so that the structure and utility and sanitary facilities shall be watertight and impermeable to the intrusion of water in all areas below the base flood elevation, and shall resist the structural loads and buoyancy effects from the hydrostatic and hydrodynamic conditions. Certification that this standard has been satisfied shall bear the dated seal and signature of a registered professional engineer on the form provided by the City Engineer;

- h.** For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters; and
- i.** In areas of special flood hazard where base flood elevations have not been established, base flood elevation data shall be generated for subdivision proposals and other proposed development, including manufactured home parks and subdivisions which are greater than 50 lots or five acres, whichever is less.

**6. Special Provisions For Manufactured Homes in Areas of Special Flood Hazard**

The following provisions are required in all Areas of Special Flood Hazard where base flood elevations have been determined:

- a.** No Manufactured Home shall be placed in a floodway.
- b.** All Manufactured Homes shall be anchored to resist flotation, collapse, or lateral movement and shall meet the following requirements:

  - (1)** Over-the-top ties shall be provided at each of the four corners of the Manufactured Homes;
  - (2)** On Manufactured Homes of 50 feet in length or less, one additional over-the-top tie shall be provided approximately at the mid point;
  - (3)** On Manufactured Homes of over 50 feet in length, two additional over-the-top ties shall be provided at intermediate locations;
  - (4)** Frame ties shall be provided at each of the four corners of the Manufactured Home;



- (5) On Manufactured Homes of 50 feet in length or less, four additional frame ties shall be provided at intermediate locations;
  - (6) On Manufactured Homes of over 50 feet in length, five additional frame ties shall be provided at intermediate locations; and
  - (7) All components of the anchoring system for Manufactured Homes shall be capable of carrying a force of 4800 pounds without sustaining permanent damage.
- c. For new Manufactured Home developments; expansions to existing Manufactured Home developments; existing Manufactured Home developments where repair, reconstruction, or improvement of the streets, utilities, or building pads in which the cost of repair, reconstruction, or improvement exceeds half of the value of the streets, utilities, and building pads before the repair, etc. has commenced; and for Manufactured Homes not placed in a Manufactured Home development, the following are required:
- (1) Stands or lots shall be elevated on compacted fill or on pilings such that the lowest floor of the manufactured home will be above the base flood elevation and the elevation of the center of the stand shall be no more than one foot below the base flood elevation. Certification that this standard has been satisfied shall be submitted to the City Engineer; said certification shall bear the dated seal and signature of a registered professional engineer or registered public surveyor on the form provided by the City Engineer;
  - (2) Adequate surface drainage and access for a hauler shall be provided; and
  - (3) If a Manufactured Home is elevated on pilings:
    - (a) Lots shall be large enough to permit steps.
    - (b) Piling foundations shall be placed in stable soil no more than ten feet apart.
    - (c) Reinforcement shall be provided for pilings more than six feet above the existing or finished ground level.

## **7. Special Provisions For Floodways**

Located within Areas of Special Flood Hazard established in this section are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and the potential for erosion; therefore, the following provisions shall be required:

- a. Encroachments shall be prohibited, including fill, new construction, substantial improvements of existing construction, structures, manufactured homes, or other development. Variances requested on this standard shall be accompanied by a complete engineering report fully demonstrating that the encroachments shall not result in any increase in water surface elevation or

flood hazard upstream, within, or downstream of the encroachment location. The engineering report shall conform to the requirements of the Drainage Policy and Design Standards and shall bear the dated seal and signature of a registered professional engineer.

- b.** Exemptions for the requirements of Section \_ may be made in the following cases:
  - (1)** Customary and incidental routine grounds maintenance, landscaping and home gardening which does not require a building permit, zone change request or variance from the provisions of this ordinance;
  - (2)** Emergency repairs of a temporary nature made on public or private property which are deemed necessary for the preservation of life, health, or property, and which are made under such circumstances where it would be impossible or impracticable to obtain a development permit; and
  - (3)** Temporary excavation for the purpose of maintaining, or repairing any public street, public utility facility or any service lines related thereto.
- c.** All new construction or substantial improvements of existing construction shall be subject to the methods of flood hazard reduction.
- d.** When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within zones designated AI-A30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

## **8. Special Provisions For Areas of Shallow Flooding**

Located within the Areas of Special Flood Hazard established in Section are areas designated as Areas of Shallow Flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the pathway of flood waters is indeterminate and unpredictable; therefore, the following provisions shall be required:

- a.** All new construction or any substantial improvement of any residential structure shall have the lowest floor, including basements, elevated at least one foot above the depth number specified on the community's FIRM.
- b.** All new construction or any substantial improvement of any commercial, industrial, or other non-residential structure shall either:
  - (1)** Have the lowest floor, including basements, elevated at least one foot above the depth number specified on the community's FIRM; or

(2) The structure with its attendant utility and sanitary facilities shall be floodproofed so that the structure and utility and sanitary facilities shall be watertight and impermeable to the intrusion of water in all areas below the base flood elevation, and shall resist the structural loads and buoyancy effects from the hydrostatic and hydrodynamic conditions. Certification that this standard has been satisfied shall bear the dated seal and signature of a registered professional engineer on the form provided by the City Engineer.

- c. Adequate drainage paths to guide floodwaters around and away from proposed structures shall be provided for all proposed structures on slopes in Zones AH or AO.

## **1.5 Off-Street Parking and Loading Standards**

### **A. Purpose**

It is the purpose of this section to establish the guidelines for Off-street parking spaces consistent with the proposed land use to:

1. Eliminate occurrence of non-resident on-street parking in adjoining neighborhoods;
2. Avoid the traffic congestion and public safety hazards caused by a failure to provide such parking space; and
3. Expedite the movement of traffic on public thoroughfares in a safe manner, thus increasing the carrying capacity of the streets and reducing the amount of land required for streets, thereby lowering the cost to both the property owner and the City.

### **B. Off-Street Parking Spaces Required**

In all districts, for all uses, at the time any building or structure is erected or enlarged or increased in capacity, or at any time any other use is established, there shall be provided off-street parking spaces for motor vehicles in accordance with the requirements specified herein.

#### **1. Dimensions and Access**

- a. Each Off-street parking space for automobiles shall have an area of not less than nine feet by twenty feet (9' x 20'). An eighteen foot paved space may be utilized where an additional two feet (2'\_) of unobstructed area is provided for vehicle overhang.
- b. Each Off-street parking space for truck unloading shall have an adequate unloading area.
- c. Each parking space and the maneuvering area thereto shall be located entirely within the boundaries of the building plot except as set forth in Chapter 3, College Station City Code.

- d. There shall be adequate provisions for ingress and egress to all parking spaces, and there shall be adequate maneuvering space to eliminate backing into public right-of-way on major, arterial or collector streets as reflected in the Comprehensive Plan for the City of College Station. Circulation aisles between or adjacent to head-in (90 degree) parking spaces shall be a minimum of 23 feet in width. One way circulation aisles with angled parking shall be a minimum of 20 feet. All other circulation aisles shall be determined by the Design Review Board.
- e. From the public right-of-way, there shall be a 24 feet setback to act as a landscape reserve. Existing trees of four inch caliper or more must be preserved (these may count toward street tree requirements). Parking may be allowed in this area but at a maximum of seven contiguous spaces and only if they are screened. More than one series of seven spaces may be permitted if a substantial amount of reserve remains intact and if the location of parking does not interfere with other streetscape requirements.
- f. Paved areas that are not arranged as parking spaces may be permitted within the 24 foot landscape reserve, but at a maximum of 1134 square feet and only if the area is screened. More than one series of 1134 square feet of pavement within the reserve may be permitted if a substantial amount of reserve remains intact and if the location of parking does not interfere with other streetscape requirements. Entrance driveways are permitted to traverse the reserve area and are not considered part of the reserve.
- g. In no event shall pavement be located within 6 feet of a right-of-way, unless the pavement is part of an entrance driveway.
- h. **End Islands**  
A raised island, encompassing not less than 180 square feet in area, shall be located at both ends of every interior parking row and at both ends of every peripheral parking row, regardless of the length of the row.
- i. **Interior Islands**
  - (1) For every fifteen interior parking spaces, 180-square feet of landscaping must be provided somewhere in the interior rows of the parking lot. Interior island areas may be grouped and configured as desired provided that circulation aisles remain clear. Interior islands may have sidewalks through them.
  - (2) End island areas that exceed the minimum required may be counted toward the interior parking island requirement.
- j. **Parking Lot Islands**  
All parking lot islands must be raised at least 6 inches and curbed, with the majority of the area planted or treated with enhanced paving. The bottom areas of planted islands must be contiguous with uncompacted soil.

**2. Off-premises Locations**

For any new use, building or structure where the required off-street parking cannot be provided on the premises because of size or location of the lot or building plot, such parking may be provided on other property under the same ownership in fee simple or under a perpetual easement which commits the land for parking for the use, building or structure, not more than 200 feet distant from the building site provided the proposed parking area is located in a district where parking lots are permitted for that use.

**3. Development and maintenance of Parking Area**

Every parcel of land hereafter used as a public parking area, including commercial parking lots, automobile, farm equipment, mobile home, trailer or other open-air sales lot, shall be developed and maintained in accordance with the requirements in this section.

**4. Surfacing**

Except as otherwise provided, all off-street parking areas shall be constructed with a minimum allowable parking lot pavement of one and one-half inches (1.5") of asphalt pavement of top of six inches of limestone base. In the case where concrete pavement is desired, the concrete shall be five inches thick, with the exception that all designated fire lanes shall be six inches thick. The reinforcement within the concrete section shall consist of number four (#4) bars on eighteen inch centers, centered within the pavement thickness. A six inch raised concrete curb shall be required around the entire perimeter of the lot and around all interior islands. Designee for pavement and curbing must meet minimum standards as depicted in . Variances to the standards shall be approved by the Planning and Zoning Commission. All off-street parking areas shall be installed graded to drain and maintained so as to dispose of surface water accumulated within the area. parking spaces shall be so arranged and marked so as to provide for orderly and safe parking of vehicles.

**5. Lighting**

All lighting fixtures used to illuminate an off-street parking area shall be arranged so as to direct or shield the light away from any adjoining residential premises.

**6. Non-public, all-weather drive surfaces.**

Temporary or permanent drive surfaces that are required for emergency access or turnaround for emergency vehicles must be constructed to function under all weather conditions. To accommodate a project during construction, phasing, or permanent installation, drive surfaces that do not meet the requirements for permanent pavement surfaces may be allowed at the discretion of the City Engineer for the specific conditions stated below:

**a. Temporary All-Weather Surface (During Construction)**

A structure under construction must be accessible by an all-weather drive surface. This surface may consist of the permanent pavement as described in Section 9.2.D or may consist of four inches (4") of limestone base with a one-

course (1) seal coat as specified in the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges, 1993 Edition, Item 316. This temporary all-weather surface must be reworked or replaced to meet the permanent pavement standard as described in Section 9.2.D. prior to issuance of a certificate of occupancy.

**b. Semi-Permanent All-Weather Surface (During Phasing)**

In cases during phasing of a large project, emergency access and turnarounds often must be added as a temporary measure until additional phases are constructed. These emergency access areas may consist of permanent pavement as described in Section 9.2.D., or may consist of six inches (6") of limestone base with one-course (1) seal coat as specified in the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges, 1993 Edition, Item 316. If the semi-permanent surface is used, the six-inch (6") curb is not required, and these areas must be gated or protected from public usage and signed for emergency access only. When the additional phase is constructed these areas must be removed or reworked to meet the permanent pavement standards as described in Section 9.2.D.

**c. Permanent All-Weather Surface (Permanent)**

In some development scenarios, an emergency access or turnaround must be constructed to meet emergency access purposes and is not required for public traffic, service vehicles or sanitation vehicles. In these cases, the area required for emergency access only may consist of permanent pavement as described in Section 9.2.D., or may consist of six inches (6") or limestone base with a two-course (2) seal coat as specified in the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges, 1993 Edition, Item 316. If the seal-coat surface is used, a six-inch (6") curb is not required, and these areas must be gated or protected from public usage and signed for emergency access only.

**7. Temporary Parking Lots**

When additional parking, in excess of what this UDO requires and/or in excess of what was installed when a facility first opened, is necessary to accommodate business or patronage that was unanticipated when the facility first opened, this parking may be supplied using the standards below. All such parking lots must receive site plan approval from the Planning and Zoning Commission following the Site Plan Review procedures outlined in Section **Error! Reference source not found.** of this ordinance. If these standards are allowed, the parking lot may exist on a temporary basis, not to exceed twelve months. The beginning date of the twelve month period shall be determined by the Planning and Zoning Commission.

**a. Standards**

- (1)** The surface of the parking lot may be gravel or some other temporary material as approved by the City Engineer;

- (2) The lot must be designed to accommodate drainage in accordance with the City's drainage ordinance. Curbs, gutters or other improvements may be required where necessary to comply with drainage regulations as approved by the City Engineer;
- (3) Entrance to the lot from any public right-of-way is at the discretion of the Commission based on recommendation of the City Engineer;
- (4) When entrance is allowed to the lot from a public right-of-way, that portion of the entrance located in the right-of-way must be paved with an all weather surface as approved by the City Engineer; and
- (5) It must be shown that steps will be taken to prevent the blowing of dust onto adjacent properties and the tracking of mud onto public rights-of-way.

**b. Review by the Planning and Zoning Commission**

The Commission shall take into consideration the following when reviewing any request for a Temporary Parking Lot:

- (1) Safe and convenient traffic control and handling, both internal and external;
- (2) Assured pedestrian safety;
- (3) Efficient and economic access for public utility and emergency vehicles;
- (4) Runoff, drainage and flood control;
- (5) Impact on adjacent land uses;
- (6) Whether in a particular case the above standards will be detrimental to the public health, safety or general welfare; and
- (7) The Planning and Zoning Commission may impose any additional standards necessary to the protection or preservation of the public health, safety or general welfare.

**c. Future Compliance**

At the end of the twelve month period the lot must be brought up to full compliance with Parking Lot Standards applicable to the use as required by this ordinance or the lot, including all paving material, must be removed and the area no longer used for the parking of vehicles. If the lot is removed, the area must be sodded, seeded or hydromulched with grass within ten days of removal. Driveway access shall be removed and curb and gutter replaced.

**C. Number of Off-Street Parking Spaces Required**

The number of off-street parking spaces required shall be determined from the following table of Off-Street Parking Requirements. The classification of uses referred to shall be deemed to include and apply to all uses.

**D. Parking And Storage Of Certain Vehicles**

Automotive vehicles or trailers not bearing current license plates and state motor vehicle inspection stickers, or not in operating condition, shall be parked or stored on any residentially zoned property only in completely enclosed buildings. Excepted from this are vehicles being repaired or serviced in compliance with the definition of Automobile Repair Shop.



## MINIMUM OFF-STREET PARKING REQUIREMENTS

Type of Generator	Unit	Spaces Unit	Per	Plus-For
Apartment				
1 Bedroom	BR	1.5		
2 Bedroom	BR	1.5		
2 Bedroom (each BR less than 132 sq. ft.)	BR	1.25		
3 Bedroom	BR	1.0		
Airport				As determined by the Commission
Banks	250 S.F.	1.0		
Bowling Alley				As determined by the Commission
Bus Depot				As determined by the Commission
Church	Seat		.33	
Convalescent Home	Bed	0.5		
Duplex Dwelling				
1 Bedroom	DU	2.0		
2 Bedroom	DU	2.0		
3 Bedroom	DU	3.0		
Dormitory	Person	1.0		
Day Care Center	250 S.F.	1.0		
Fraternal Lodge	75 S.F.	1.0		
Fraternity/Sorority House	Person	1.0		1/30 S.F. meeting room
Freight Station				As determined by the Commission
Funeral Parlor	Seat	.33		

Game Court Center	Court	4.0		
Gasoline and Fuel Service	300 S.F.	1.0		
Group Housing	BR	2	As determined by the Commission	
Health Studio	150 S.F.	1.0		
Hotel	DU	1.0		
Hospital			As determined by the Commission	
Home for Aged	Bed	.5		
Laundry	150 S.F.	1.0		
Manufactured Home	DU	2		
Mobile Home	DU	2		
Motel	DU	1.1		
Motor Vehicle Sales & Service (Office/Sales Area)	250 S.F.	1.0		
Motor Vehicle* Sales & Service (Service Area)	100 S.F.	1.0		
Type of Generator	Unit	Spaces Unit	Per	Plus-For
<hr/>				
Medical or Dental Clinic				
	(<20,000 S.F.)	200 S.F.		1.0
(20,000 - 50,000 S.F.)	275 S.F.			
	(20,000 - 50,000 S.F.)	225 S.F.		1.0
	(> 50,000 S.F.)	275 S.F.		1.0
Motion Picture House	Seat	.25		

Night Club	50 S.F.	1.0
Office Building	250 S.F.	1.0
Personal Service Shop	250 S.F.	1.0
Private School or Commercial Studio	100 S.F.	1.0
Retail Sales & Service	250 S.F.	1.0
Restaurant (includes Fast Food Restaurant WITHOUT drive through)	65 S.F.	1.0
Restaurant (with Drive-thru facility)	100 S.F.	1.0
Rooming/Boarding House	Person	1.0
Sales Display	250 S.F.	1.0
Single Family Residence	DU	2.0
Shopping Center** (75,000 S.F. or less)	150 S.F.	1.0
Shopping Center** (More than 75,000 S.F.)	200 S.F.	1.0
Townhouse	DU	2.0
Theater	Seat	.25
Truck Terminal		
Veterinary Clinic	300 S.F.	1.0
Warehouse	1000 S.F.	1.0

As determined by the  
Commission

NOTE: DU - Dwelling Unit; S.F. - Square Feet of floor space. Generators of traffic not listed above to be determined by the Commission.

\* Parking spaces within service bays shall be credited toward off-street parking requirements.

\*\* No more than twenty-five (25%) percent of any shopping center square footage shall be utilized for restaurants, nightclubs, taverns, bars or theaters unless additional parking is provided in accordance with the above requirements for that square footage of such uses in excess of 25%."

## **1.6 Safeguard Controls**

- A.** No machine, process or procedure shall be employed on any property in the City, in which:
- 1.** Emission of smoke, dust, noxious, toxic or lethal gases are detectable beyond the perimeter of the property;
  - 2.** Materials are stored or accumulated in such a way that they may be carried by rainwater in natural drainage channels beyond the limits of the property, which are noxious, toxic, radioactive, contain oil or grease, wood, or cellulose fibers, hair, feathers, plastic or have a pH factor above ten or below five;
  - 3.** Vibration is discernible beyond the property line; and
  - 4.** Noise above the ambient noise level is discernible beyond the property line.

## **Article 2. Subdivision Design/Improvements**

### **2.1 Subdivision Design Standards**

#### **A. Community Assets**

In all subdivisions, due regard shall be shown for all natural features such as trees, watercourses, historical spots and similar community assets, which, when preserved, will add attractiveness and value to the property.

#### **B. Suitability of Lands**

The Planning and Zoning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

#### **C. Large Tracts or Parcels**

When land is subdivided into larger parcels rather than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the Comprehensive Plan of the City requires principal streets to cross the subdivision, the right-of-way shall be dedicated to the public.

#### **D. Reserved Strips Prohibited**

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

#### **E. Standards**

All construction on streets, alleys or easements shall be designed and constructed in accordance with City Engineering standards and specifications, and in particular regard for the street regulation section.

#### **F. Streets**

##### **1. Street Layout**

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width and grade of each shall conform to the City's Comprehensive Plan and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience and to their appropriate relationship to the proposed use of the land to be served by such streets.

**2. Relation to Adjoining Street Systems**

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

**3. Street Jogs**

Whenever possible, street jogs with center-line offsets of less than 125 feet shall be avoided.

**4. Half Streets**

No half streets shall be platted.

**5. Dead-end Streets**

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

**6. Cul-de-Sacs**

Cul-de-sacs shall not exceed 600 feet in length to radius point, and shall terminate in a turnaround not less than 100 feet in diameter, with a pavement diameter of 80 feet.

**7. Street Intersections**

Acute angles between streets at their intersections are to be avoided.

**8. Principal Streets on Master Plan**

Where subdivision embraces a principal street as shown on the City's Master Plan, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the City may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this section. The Planning and Zoning Commission may require that, where practical, residential lots adjacent to arterial and collector be platted or restricted so as to prevent driveways opening into such streets.

**9. Minor Streets**

Minor streets shall be laid out to discourage their use of through traffic.

**10. Geometric Standards, Street Design Criteria**

Design Criteria for Urban and Rural streets are shown in Table 1, Street Design Criteria. The cross sections for each of the different street types generally reflect the criteria set forth in Table 1.

**TABLE I - STREET DESIGN CRITERIA**

Criteria	Residential			Collector			Arterial		
	Alley	Urban <sup>1</sup>	Rural	Rural	Minor	Major	Minor (undiv.)	Minor (div.)	Major (div.)
ROW <sup>2</sup>	24'	50'	70'	80'	60'	70'	90'	90'	120'
Pavement Width <sup>3</sup>	20'	27'	24'	30'	38'	48' or 54'	70'	70' or 74'	94'
Traffic Lanes	2	2	2	2	2	3 or 4	5	4	6
Lane Width	10'	12'	12'	15'	11' or 13'	11'/16' <sup>4</sup>	11/16' <sup>4</sup>	11/16' <sup>4</sup>	11/16' <sup>4</sup>
Shoulder Width	N/A	N/A	2 @ 2'/ea.	2 @ 2'/ea.	N/A	N/A	N/A	N/A	N/A
Continuous Two-Way Left Turn Lane (width)	none	none	none	none	none	permitted (12')	required (16')	none	none
Parking	none	permitted (limited)	none	none	permitted w/o bike lanes	none	none	none	none
Median	none	none	none	none	none	none	none	16'	18'
Min. Grade	.6%	.6%	.6%	.6%	.6%	.6%	.6%	.6%	.6%
Max. Grade	8%	8%	6%	6%	6%	6%	6%	6%	6%
Min. Horz. Radius (center line)	200'	200'	200'	400'	400'	500'	850'	850'	1,050'
Min. Tangent between curves	0'	0'	0'	75'	100'	100'	100'	100'	250'
Sidewalks <sup>5</sup>	none	one-side	none	none	both	both	both	both	both
Design Speed (mph) <sup>6</sup>	30	30	30	30	30	35	40	40	45

<sup>1</sup> Residential streets may be designated as either “through” or “internal” (see definitions)

<sup>2</sup> Right-of-way width listed herein is a minimum, additional right-of-way or easements may be required.

<sup>3</sup> Pavement width is measured from back of curb to back of curb. For pavements with shoulders, the pavement width does not include the shoulder width.

<sup>4</sup> Wider lanes required on outside lanes only.

<sup>5</sup> There are no sidewalks required on rural residential streets or rural collectors that are wholly contained within the subdivision. (See Subsection 12-N. Sidewalks).

Bike Lanes		N/A	N/A	N/A	N/A	permitted	permitted	N/A	permitted	permitted
							d			(limited)
Volume	Range		200 to 1000	100 to 1000	1000 to 5000	1000 to 5000	5000 to 10,000	10,000 to 20,000	10,000 to 25,000	20,000 to 45,000
Guideline										

---

<sup>6</sup> For “internal” residential streets, the design speed may be reduced. This may allow for a smaller horizontal radius. Advisory signage will be required by the developer.



## **11. Street Names**

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person.

## **12. Alleys**

- a. Alleys may be required at the rear of all lots intended to be used for business purposes and may be provided in residential areas.
- b. Alleys shall generally be parallel to the street, shall be not less than 20 feet wide and shall be paved under City Engineering standards. The right-of-way for alleys shall be dedicated to the public.
- c. Where two alleys intersect, or where an alley turns, additional width may be required to allow turning of vehicles or guying of utility poles.
- d. Dead-end alleys shall not be permitted, except where the alley is 100 feet or less in length.
- e. In all alleys, overhead easements of at least four feet in width shall be provided on each side of the alley right-of-way over which the aerial electric and communication lines must hang. This easement is not required when the electric and communication lines are placed underground.

## **13. Easements**

### **a. Drainage Easements**

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. No construction, including fences, shall impede, constrict or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the UDO. Drainage easements may be used for utilities.

### **b. Utility Easements**

- (1) Each block that does not contain an alley as provided in Section 12 above, shall have a utility easement at the rear of all lots, reserved for the use of all utility lines, conduit and equipment. These utility easements shall be 20 feet in width, taken ten feet from each lot where the rear of the lots abut each other, and shall be continuous for the entire length of a block. These

easements shall be parallel as closely as possible to the street line frontage of the block.

- (2) Normal curb section shall be required where utility easements intersect streets.
- (3) Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.
- (4) Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full 20 foot width of easement may be required along the rear of lots adjoining the unplatted area.
- (5) Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.
- (6) Overhead easements are required the same as for alleys.

#### **14. Blocks**

- a. Blocks generally shall be platted to provide two tiers of lots with a utility easement or alley between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.
- b. Block length shall not exceed 1,200 feet in Single-family residential areas and shall not exceed 800 feet in other areas. In blocks over 800 feet in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

#### **15. Lots**

- a. Side lot lines which make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.
- b. Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

## **16. Access Way**

Access ways, where required, shall have a ten foot right-of-way, dedicated to the public. A four foot sidewalk shall be constructed in the center of the right-of-way conforming to the City Engineering standards.

## **17. Sidewalks**

- a.** Sidewalks shall be required on both sides of all streets having a right-of-way width equal to or greater than 60 feet. A sidewalk shall be required on one side of all streets with a 50 foot right-of-way with the exception of cul-de-sac streets. A sidewalk may be required on cul-de-sac streets if needed to provide through pedestrian access. Sidewalks shall be placed within the right-of-way as determined by the City Engineer and when so specified.
- b.** The subdivider shall construct all sidewalks according to one of the following placement alternatives:
  - (1)** Sidewalks shall be placed against the back of curb and have a minimum paved width of six feet;
  - (2)** Sidewalks shall be placed such that a minimum six foot buffer/green space is maintained between the back of curb and the inside edge of the sidewalk. Sidewalk paved width shall be a minimum of four feet for this location; and
  - (3)** The subdivider shall assure that these minimums are sufficient to meet the anticipated pedestrian demand in the area.
- c.** Given that a combination or variation from the two placement methods as described in Section \_\_ of this ordinance is necessary or desired or that an obstruction is located within the paved area, the following criteria must be satisfied.
  - (1)** All radii in the transition section must be a minimum of ten feet.
  - (2)** All transition sections must be approved by the City Engineer.
- d.** In order to provide safe and adequate access on City sidewalks, all sidewalks shall meet minimum clear width requirements around all obstructions, natural or manmade, as described herein. Clear width shall mean the distance as measured from the outside edge of the obstruction to the outside edge of the sidewalk or from the inside edge of the obstruction to the inside edge of the sidewalk. If the clear width is to be obtained between the inside edge of the sidewalk and the obstruction, given that the sidewalk is placed against the back of curb, the clear width shall be a minimum of six feet. In all other cases, the minimum clear width shall be four feet.

- e. All sidewalks must be constructed concurrently with the thoroughfare or, if the thoroughfare is already constructed, prior to acceptance of any improvements.
- f. Exceptions to or partial waiver of the requirements of Section \_ of this ordinance. may be granted by the City Council upon recommendation of the Planning and Zoning Commission and when it has been determined that satisfactory alternative pedestrian ways or pedestrian/bikeways have been or will be provided outside the normal right-of-way; or that unique circumstances or unusual topographic, vegetative, or other natural conditions prevail to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this UDO or the Comprehensive Plan.

## **18. Bikeways**

### **a. General**

Bikeways will be required in accordance with the Bikeway Master Plan. Bikeway facilities are planned and located to integrate with the existing City street and park system. The facilities are strategically located so as to minimize their numbers and to provide bikeways to certain areas or neighborhoods within the City.

### **b. Types of Bikeways**

There are three types of bikeway facilities that shall be utilized. These are as follows:

#### **(1) Bike Path**

A facility completely separated from auto traffic and within an independent right-of-way or within the right-of-way of another facility;

#### **(2) Bike Lane**

A facility where part of the roadway or shoulder is striped, signed, and marked for exclusive or preferential bicycle use and where vehicle parking is not permitted, unless otherwise specified; and

#### **(3) Bike Route**

A facility designated by signing to help make motorists aware of the presence of bicycles which share the right-of-way with motor vehicles.

### **c. Bikeway Location Criteria**

Bikeways shall be located to integrate with the existing City street and park system. Important criteria used in determining bikeway facility types and locations are:

- (1) Safety. Existing street width;
- (2) Existing and potential demand for use;
- (3) Continuity and directness;
- (4) Spacing. Relationship to other bikeway facilities;
- (5) Location of schools and other public facilities frequented by bicycle riders; and
- (6) Location of linear parks and greenbelts.

**d. Geometric Design Criteria**

All facilities shall be designed to meet or exceed standards set forth in the "Guide for Development of Bicycle Facilities" published by the American Association of State Highway and Transportation Officials (AASHTO). Signing and pavement markings for such facilities shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). Geometric design criteria for each type of bikeway facility are as follows:

**(1) Bike Routes**

- (a) The placement of bike route signing identifies bicycle compatible streets that will serve as bike routes. Bike route identification and directional signs shall be located and installed as indicated on the Bikeway Master Plan.
- (b) Bike Routes provide an important function in that they provide for continuity in the overall bikeway system. Typically most bike routes will occur on local and collector streets as they are often most compatible for bicycle use without additional pavement. A minimum of 16 feet outer lane for collector arterial streets measured from the outer lane line to the back of curb shall be required for bike routes
- (c) Bike route signing should not end at a barrier. Information directing the bicyclist around the barrier should be provided.
- (d) The roadway width, along with factors such as the volume, speed, and type of traffic; parking conditions; grade; and sight distance should be considered when determining the feasibility of a bike route. Roadway improvements, such as safe drainage grates, railroad crossings, smooth pavements, maintenance schedules, and signals responsive to bicycles, should always be considered before a roadway is identified as a bike route.

**(2) Bike Lanes**

The bike lane is located within the vehicular roadway in the outside lane and is intended for the exclusive use of bicycles. Bike lanes in the City of College Station must be developed as one-way facilities and carry traffic in the same direction as adjacent motor vehicle traffic.

- (a) Two-way bike lanes are not permitted because:
  - They require unconventional turns at intersections;
  - They are conducive for bicyclists having to go the "wrong way" and to weave across traffic to bike in the proper lane; and
  - They require that bicyclists travel in a direction opposite the adjacent auto lane.
- (b) A one-way bike lane against the curb requires a minimum of five feet measured from the edge of pavement, not including the gutter. The bike lane shall be delineated by a continuous painted stripe. The diamond preferential lane symbol (as designated in MUTCD) shall be located immediately after each intersection to inform motorists turning of the restricted nature of the lane.
- (c) At intersections, bicyclists proceeding straight and motorists turning right must cross paths. Striping and signing configurations which encourage these crossings in advance of the intersection, in a merging fashion, shall be preferred to those that force the crossing in the immediate vicinity of the intersection.
- (d) Adequate pavement surface, bicycles safe grate inlets, safe railroad crossings, and traffic signals responsive to the bicyclist shall be provided on roadways where bike lanes are designated. Raised pavement markings and raised barriers can cause steering difficulties for bicyclists and should not be used to delineate bike lanes.
- (e) In general, parking in bike lanes is prohibited. However, parking may be permitted in a bike lane in specific areas during specified times. Where parking in a bike lane is permitted, signs shall be installed to provide notice to bicyclists of when parking is allowed. Parking in a bike lane shall be limited primarily to spillover parking for public uses or events, but parking for non-public uses may also be considered.

### **(3) Bike Paths**

- (a) Bike paths are facilities used exclusively for bike traffic with minimal cross flow by motor vehicles. They should be located primarily in greenbelt areas or park-type areas. If a bike path is to be located in the right-of-way of an adjacent roadway there should be a minimum of five feet separating the bike path from the roadway.
- (b) The paved width and the operating width required for a bicycle path are primary design considerations. Under most conditions, a recommended all-paved width for a two-directional bicycle path is ten feet. In some instances, however, a minimum of eight feet can be adequate. This minimum should be used only where the following conditions prevail: (1) Bicycle traffic is expected to be low, even on peak days or during peak hours; (2) Pedestrian use of the facility is not expected to be more than occasional; (3) There will be good horizontal and vertical alignment providing safe and frequent passing opportunities, and (4) The path will not be subjected to maintenance vehicle loading conditions that would cause pavement edge damage. Under certain conditions it may be necessary or desirable to increase the width of a bicycle path to twelve feet; for example, because of substantial bicycle volume, probable shared use with joggers and other pedestrians, use by large maintenance vehicles, steep grades and where bicyclists will be likely to ride two abreast.
- (c) The minimum width of a one-directional bicycle path is five feet. It should be recognized, however, that one-way bicycle paths often will be used as two-way facilities unless effective measures are taken to assure one-way operation. Without such enforcement, it should be assumed that bicycle paths will be used as two-way facilities and designed accordingly.
- (d) A minimum of two-foot width graded area should be maintained adjacent to both sides of the pavement; however, three feet or more is desirable to provide clearance from trees, poles, walls, fences, guard rails, or other lateral obstructions. A wider graded area on either side of the bicycle path can serve as a separate jogging path.
- (e) The vertical clearance to obstructions should be a minimum of eight feet. However, vertical clearance may need to be greater to permit passage of maintenance vehicles and, in under crossings and tunnels, a clearance of ten feet is desirable.

## **19. Water Supply**

- a. All subdivisions shall be provided with water supply and distribution systems for fire protection and domestic use. The design of which

shall be approved and enforced by the City Engineer in accordance with applicable city, state and federal statutes, codes, City of College Station construction specifications and acceptable engineering practice.

- b. Public fire hydrants of City of College Station standard design shall be installed as a part of the water distribution system in accordance with applicable city codes.

## **20. Sanitary Sewers**

- a. All subdivisions shall be provided with an approved sanitary sewerage system, meeting the standards of the City Engineering department. Curved sewers of not less than a 100 foot radius are accepted, manholes of not over 500 foot spacing.
- b. If the sewerage system includes treatment facilities, the plan must be approved by the Texas State Department of Health, and subdivider must have a permit for the discharge of effluent from the Texas Water Quality Board, before the approval by the commission.
- c. On-site waste water disposal systems, including private septic systems, may be used in areas where topography, density of development and/or other factors make sewer collection facilities impractical. Such systems, when allowed, must meet the requirements of Brazos County.

## **21. Drainage**

Drainage shall be provided to handle runoff as calculated, street inlets for a five year rain, storm sewers for a five year rain, and bridges for a 25 year rain, all as approved by the City Engineer. Water shall not be carried on the street for a distance greater than a five year rain will overflow the curb. Drainage shall be handled in natural stream channels insofar as practical. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

## **22. Utility Lines**

All utility lines that pass under streets or alleys shall be installed before the street or alley is paved, with embedment, backfill, and depths as approved by the City Engineer, or the crossing shall be bored.

## **23. Gas or Oil Lines**

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over 60 pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a minimum cover of 30 inches, and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than 300 feet. The signs shall be



installed by the utility company, state that the line is high pressure, and shall name the product or products transported therein.

## **24. Street Lights**

### **a. Basic Policy**

It shall be the policy of the City of College Station that adequate street lighting for the protection of the public and property be installed in all new subdivisions. Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

### **b. General Standards**

- (1)** The actual number of street lights to be required, as well as the type and size of luminaire, and the installation, location and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the developer, subject to the approved street light pole standards of the Public Utilities Department.
- (2)** Street lights shall normally be required at all street intersections and access ways, in cul-de-sacs, and at generally 300 foot intervals or less on tangent streets.
- (3)** The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be five feet in width.
- (4)** The installation of subdivision lighting shall be performed by either of the following:
  - (a)** By City, subject to cost reimbursement as provided in Section \_ of this ordinance.
  - (b)** By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

## **25. Electric Service Installation**

- a.** All electric utility service shall be installed underground in residential, Multi-family residential, commercial and industrial subdivisions. All lateral electric lines and service lines supplying electric utility service shall be placed underground.
- b.** Overhead feeder lines may be placed within the above-listed subdivisions in the following locations:

- (1) Along the perimeter of the platted subdivision;
- (2) Adjacent to or within the right-of-way of thoroughfares identified on the current thoroughfare plan of the City of College Station and approved for the location of overhead utilities;
- (3) Within alleys or dedicated easements identified for the location of aerial utility service on the approved subdivision plat;
- (4) The subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use;
- (5) Where the electric service is placed underground, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed;
- (6) The subdivider shall be responsible for furnishing and installing, and the expenses related thereto, of conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the Electrical Department prior to installation;
- (7) Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground; or
- (8) Temporary utility service may be provided via overhead line extension.

## **26. Monuments and Corner Markers**

- a. All block corners, angle points and points of curves, and all corners of boundary lines of subdivisions shall be marked with a one-half inch (1/2") steel rod, two feet in length, set in the center of a concrete monument six inches in diameter and 30 inches deep, with the top flush with the finished ground surface.
- b. Where, due to topographic conditions, permanent structures or other conditions, the view is obstructed between any two adjacent monuments, intermediate monuments shall be set as to assure a clear view between adjacent monuments.
- c. Corner markers, consisting of a one-half inch (1/2") steel rod or three-fourths inch (3/4") pipe, two feet in length, shall be driven flush with the ground surface to mark the corners of all lots.

## **27. Gating of Roadways**

### **a. Purpose**

To achieve orderly development of a secured (GATED) community.  
To protect and promote the health, safety and general welfare of the City.

### **b. General Requirements**

- (1)** Gating of a public roadway is prohibited;
- (2)** Driveways are considered roadways for the purpose of these gating requirements;
- (3)** The gate shall not block area-wide through routes or block access for roadways to serve future development;
- (4)** Access shall be provided at all times for police, fire, city inspection, mail delivery, garbage pickup, dial-a-rides, utility, school buses, and other health and safety related vehicles. Access must not require drivers to exit their vehicle;
- (5)** A private street subdivision will not cross an existing or proposed thoroughfare as shown on the City's most recent Thoroughfare Plan. A private street subdivision will not disrupt or cross an existing or proposed City of College Station public pedestrian pathway, hike and bike trail or park as shown on the City's most recent Parks and Open Space Plan;
- (6)** The gate design and implementation shall be such that it does not pose a threat to public health, safety and welfare; and
- (7)** The infrastructure main lines (electrical, water, and sewer) shall be maintained by the City of College Station.

### **c. Homeowners Association (HOA)**

- (1)** A Homeowners Association shall be established with direct responsibility to, and controlled by, the property owners involved to provide for operation, repair and maintenance of all common areas, fences, walls, gate equipment, landscaping, and all other common facilities, including private streets and sidewalks, which are part of the subdivision (the "Common Facilities");
- (2)** All property owners within an existing residential area that is proposed to be gated shall agree to become members of an operative Homeowners Association (HOA);

- (3) The HOA shall prepare and file for record a legal instrument establishing a plan for the use and permanent repair and maintenance of the Common Facilities and demonstrating that the association is self-perpetuating and adequately funded to accomplish its purpose;
- (4) The budget for the HOA shall include a fund reserved for the repair and maintenance of Common Facilities in the amount approved by the city staff;
- (5) The legal instrument establishing the Homeowners Association, street maintenance agreement, the approval of the reserve fund by the City Engineer or Director of Public Works, and written permission for the City's access to the subdivision will be submitted for approval by the City Attorney prior to the submission of the final plat;
- (6) The City will be given written permission for practical access at any time without liability when on official business. The City will also be given written permission to remove obstructions including any gate and guard (house) upon non-compliance by the HOA of any terms of this ordinance or if necessary for the emergency vehicle access. In the event the City must remove obstructions to access the development, the HOA will be assessed all costs of removal; and
- (7) In the event the City deems that repairs to private street(s) within a gated community are necessary in order to insure safe access and passage for emergency service vehicles, the City will notify the HOA and a public hearing will be set for input on the projected repairs. Should the HOA fail to provide the satisfactory repairs deemed necessary in a time frame set by the City at the public hearing, then the City will make the necessary repairs and assess the HOA all costs borne by the City in repair of the private street(s). Should the HOA fail to reimburse the City within 90 days, the HOA shall be subject to lien and possibly foreclosure of all assets including but not limited to the maintenance reserve fund address in Section \_ of this ordinance.

**d. Geometric Design Guidelines**

- (1) All streets in the development shall be constructed in accordance with City standards;
- (2) The gate(s) location shall not be placed on a public right-of-way or easement;

- (3)** All gate mechanical or manual operating functions shall meet fire department requirements and provide passage with unobstructed vertical clearance;
- (4)** Gated entry way throat length designs taking access from residential, major and minor collector roadways shall meet the following requirements:
  - (a)** A minimum of 20 feet for one residential single family lot.
  - (b)** A minimum of 60 feet for up to 25 single family lots.
  - (c)** A minimum of 100 feet for 26 single family lots or greater
- (5)** The gated entry way lengths taking access from major and minor arterials shall be determined and approved on a case by case basis by the City Planning Department;
- (6)** Gated entry ways shall provide adequate access for pedestrians and bicycles;
- (7)** Gated entry ways to subdivisions shall provide adequate turnaround areas for vehicles that are denied access in order to prevent backing into a public street;
- (8)** The gated entry way driveway pavement widths to subdivisions, for both egress and ingress, shall be a minimum of 20 feet per driveway and are required to provide a minimum four feet center median;
- (9)** The gated area shall provide a minimum unobstructed vertical clearance of 14 feet, six inches from finished roadway surface over the entire width of the entry roadway; and
- (10)** Public safety elements and signing shall be included in the gate entry way design.

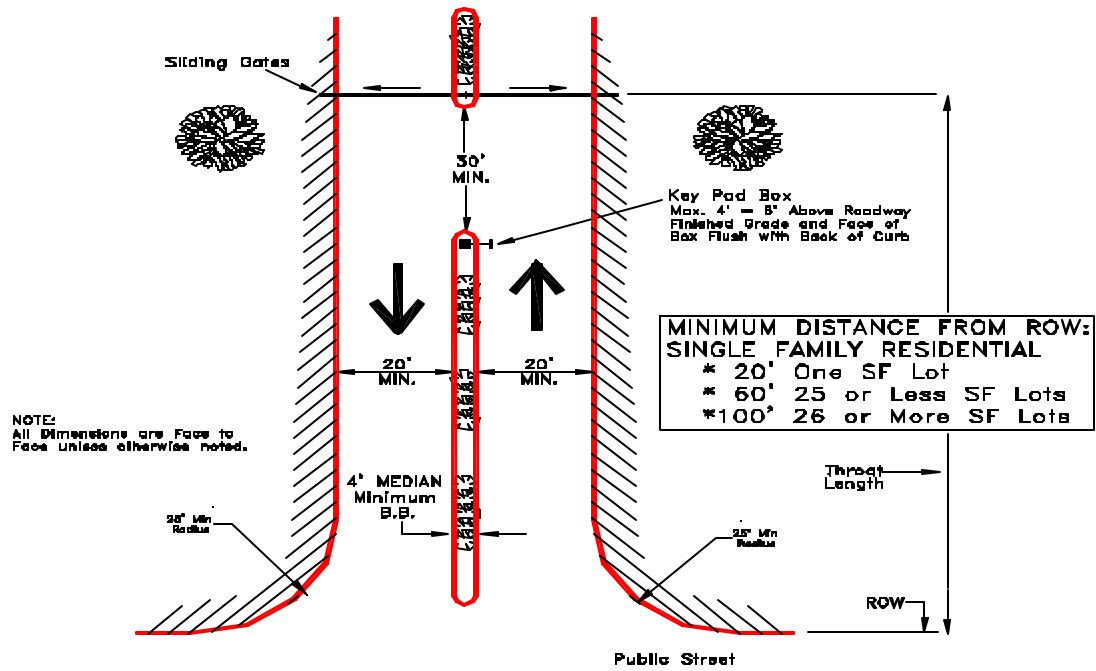


FIGURE 1

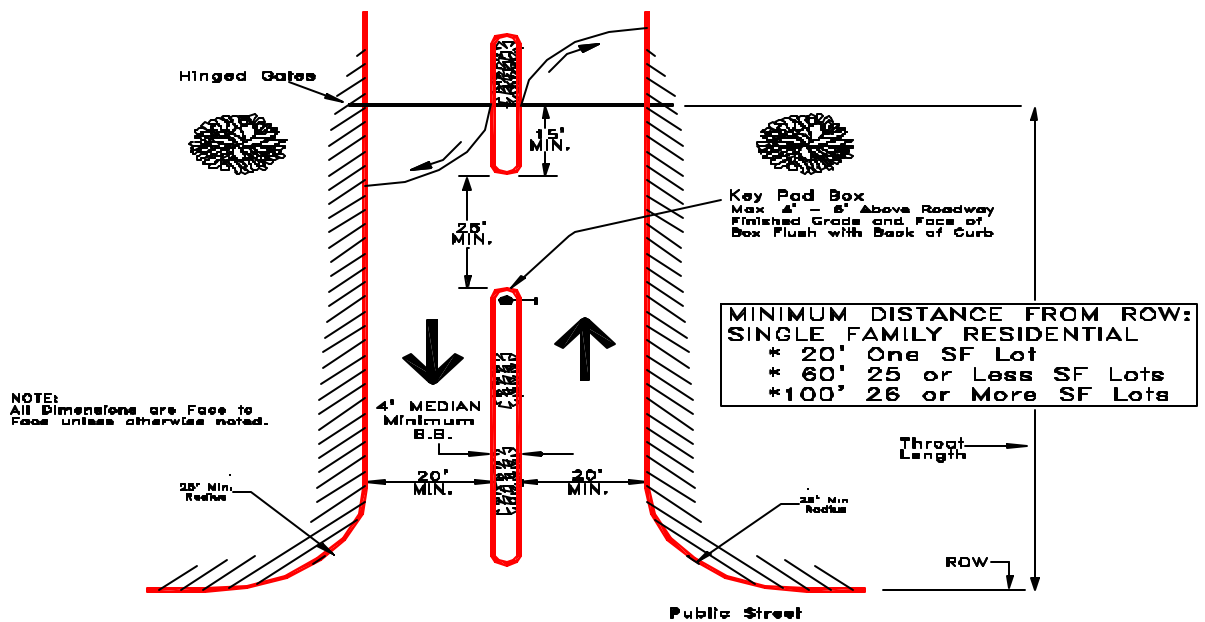


FIGURE 2

**e. Converting Private Streets to Public Streets**

- (1)** Upon a written request signed by HOA officers and submitted to the City Council of the City of College Station, dedication of private streets to the public may be accomplished providing the private streets are brought up to the standards for the public streets in the City and the City Council has agreed to accept the streets.
- (2)** The written request by the HOA officers will be accompanied by a petition containing the signatures of the owners of 100% of the existing lots in the subdivision, except when in the public interest.
- (3)** All repairs or reconstruction of private streets must be accepted by the City prior to conversion. All conversion dedication costs will be paid by the HOA.

**f. Indemnity**

The Association hereby unconstitutionally and irrevocably agrees to indemnify, defend and hold the City and the City's officials, agents, employees and contractors harmless, from and against any loss, liability, demand damage, judgment, suite, claim deficiency, interests, fee, charge, cost or expense (including, without limitation, interest, court cost and penalties, attorney's fees and disbursement and amounts paid in settlement, or liabilities resulting from any charge in federal, state or local law or regulation or interpretation hereof) of whatever nature, even when caused in whole or in part by the City's negligence or the joint or concurring negligence of the City and any other person or entity, which may result or to which the City and/or any of the City's officials, agents, employees and contractors may sustain, suffer, incur or become subject to in connection with or arising in any way whatsoever out of the maintenance, repair use or occupation of the common facilities, or any other activity of whatever nature in connection therewith, or arising out of or by reason of any investigation, litigation or other proceedings brought or threatened, arising out of or based upon the operation, management, maintenance, repair and use of the common facilities, or any other activity in the subdivision.

**g. Existing Gates**

Any gate as defined by this UDO existing at the time of adoption of this ordinance which has received an approval from either the City or the County is deemed exempt from the requirements of this ordinance.

## **2.2 Improvement Requirements**

### **A. Ownership**

Upon completion by the subdivider, and acceptance by the City of the streets, alleys, sidewalks, parks, drainage facilities and utilities required to be installed by the subdivider, they shall become the property of the City of College Station, Texas.

## **2.3 Rural Residential Subdivision Regulations**

### **A. General**

The requirements outlined herein are intended to allow the development of Rural Residential Subdivisions within the corporate boundary of the City of College Station, Texas. It is the intent of this section that these regulations be used to create a rural type atmosphere for development in areas where the Council through zoning deems it appropriate. It is not the intent of this section to sacrifice the integrity of the City of College Station's current or future infrastructure systems.

### **B. Community Assets**

In all subdivisions, attention shall be given to all natural features such as trees, watercourses, historical sites and similar community assets, which, when preserved, will add attractiveness and value to the property.

### **C. Suitability of Lands**

The Planning and Zoning Commission shall not approve the subdivision of land, if from adequate investigations conducted by Staff, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land located within FEMA designated floodway and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Development of the flood fringe shall be controlled and designed in accordance with the City of College Station Drainage Ordinance. Such land within the plat shall be set aside for uses that shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

### **D. Large Tracts or Parcels**

When land is subdivided into larger parcels rather than ordinary lots, as defined in the Zoning Ordinance, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the City's Comprehensive Plan requires principal streets to cross the interior of the subdivision or lie anywhere within the subdivision, the right-of-way shall be dedicated to the public.



**E. Zoning**

No plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such zoning or other pertinent regulations. These rural residential regulations may only be applied in areas where the zone designation is A-OR.

**F. Reserved Strips Prohibited**

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

**G. Standards**

All construction on streets or easements shall be designed and constructed in accordance with City Engineering standards and specifications.

**H. Streets**

**1. Goal**

The goal of this section is to provide each lot in a rural residential subdivision with access to a durable and maintainable public/private street with adequate capacity, while retaining rural aesthetics and cost effectiveness, and without compromise to the City of College Station Thoroughfare and Transportation Improvement Plan.

**2. Street Layout**

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width, and grade of each shall conform to the Thoroughfare and Transportation Improvement Plan of the City and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of the land to be served by such streets.

**3. Relation to Adjoining Street Systems**

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

**4. Street Jogs**

Whenever possible, street jogs with center-line offsets of less than 125 feet shall be avoided.

**5. Half Streets**

No half streets shall be platted.

**6. Dead-end Streets**

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

**7. Cul-de-Sacs**

Cul-de-sacs shall not exceed 2000 feet in length to radius point, and shall terminate in a turnaround not less than 100 feet in diameter, with a pavement diameter of 80 feet. The number of dwelling units may not exceed 30 on any cul-de-sac, regardless of length.

**8. Street Intersections**

Acute angles between streets at their intersections are to be avoided.

**9. Principal Streets on Master Plan**

- a. Where a subdivision embraces a Major or Minor Arterial or Collector Street as shown on the City of College Station Thoroughfare and Transportation Improvement Plan, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the City may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this chapter. The Planning and Zoning Commission may require that, where practical, residential lots adjacent to arterial streets or parkways be platted or restricted so as to prevent driveways opening into such streets.
- b. All principal streets, Major and Minor Arterials and Collectors (if they will be continuous beyond the rural residential subdivision) shall be constructed to urban standards as contained in Section \_\_ of this ordinance, Streets. All residential streets and those collectors, which are wholly contained within the rural residential subdivision and provide internal circulation for the rural residential subdivision(s) only, may be constructed to the standards contained within this section.

**10. Minor Streets**

Minor streets shall be laid out to discourage through traffic.

**11. Geometric and Pavement Standards**

Streets within rural residential subdivisions may be constructed to a rural section, which includes roadside ditches in lieu of curb and gutter.

**RURAL STREET STANDARDS**

	<u>Rural Residential Street</u>	<u>Rural Collector Street</u>
Stabilized Subgrade <sup>7</sup>	6"	6"
Base <sup>8</sup>	6"	7"
HMAC <sup>9</sup>	1-1/2"	1-1/2"

## 12. Standard Details and Specifications

Refer to the City of College Station Street Specifications for the standard pavement cross-section detail and specifications regarding all pavement materials.

## 13. Street Names

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person.

### I. Easements

#### 1. Drainage Easements

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. The City of College Station Drainage Policy and Design Standards shall be used as a guideline for easement sizing. No construction, including fences, shall impede, constrict, or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the zoning ordinance

#### 2. Utility Easements

##### a. Utility Layout

A utility layout is required for all rural residential subdivisions, which shall include all utilities proposed to be installed in the subdivision, as well as any future utilities. Based on this layout, all lines shall have adequate clearance from other utilities and each block shall have a utility easement either at the rear or the front of all lots, reserved for the use of these utility lines, conduit, and equipment. These utility easements shall be 20 feet in width, and shall be continuous for the

<sup>7</sup> Refer to the City of College Station Street Specifications for additional details on these items.

<sup>8</sup> See footnote #7.

<sup>9</sup> See footnote #7.

entire length of a block. If taken at the rear of the lots, it shall be taken as ten feet from each lot where the rear of the lots abut each other. These easements shall be parallel as closely as possible to the street line frontage of the block. The City's electrical engineer will design the electrical system in all subdivisions.

**b. Additional Easement**

Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.

**c. Easements Required by City Engineer**

Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full twenty foot width of easement may be required along the rear of lots adjoining the unplatted area.

**d. Fencing in Easements**

Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.

**J. Blocks**

**1. General**

Blocks generally shall be platted to provide two tiers of lots with a utility easement between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.

**2. Block Lengths**

Block length shall not exceed 1,500 feet in rural residential subdivisions. In blocks over 800 feet in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

**K. Lots**

**1. Lot Configuration**

Side lot lines which make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.

## **2. Lot Size and Setbacks**

Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

### **L. Access Ways**

Access ways, where required, shall have a ten foot right-of-way, dedicated to the public. A four foot sidewalk shall be constructed in the center of the right-of-way conforming to City Engineering standards and specifications.

### **M. Sidewalks**

Sidewalks are not required on residential and collector streets that are wholly contained within the rural residential subdivision(s). If they are provided, they shall meet all regulations in Section \_\_ of the ordinance and shall be constructed away from the roadway surface to provide adequate safety for pedestrians. All sidewalks shall be a minimum of four feet in width and constructed in accordance with City Engineering standards and specifications. Sidewalks are required on all major and minor arterials and collectors that will continue beyond the rural residential subdivision and are required to be constructed to urban street standards. Sidewalks on these streets shall meet all requirements in Section 2.1F.17, Sidewalks.

### **N. Bikeways**

Bikeways will be required in accordance with the Bikeway Master Plan. Refer to Section 2.1F.18 above for requirements.

### **O. Water Supply**

#### **1. Goal**

All rural residential subdivisions shall be provided with a safe, reliable public/private water supply to each platted lot, without compromising the City of College Station's future water distribution system.

#### **2. Determination of Water Supplier**

All subdividers of rural residential subdivisions shall ascertain which local water supplier is certificated to serve the proposed subdivision. If the supplier is not the City of College Station, a predevelopment meeting is mandatory and shall be held between the subdivider, proposed water supplier and the City Engineer, in order to assure that adequate water supply will be available to all lots within the subdivision.

#### **3. City of College Station as Water Supplier**

If the water supplier is the City of College Station, waterlines shall be sized to accommodate both domestic use and fire protection to the subdivision. The design of the waterlines shall be in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer. Adequately sized waterlines

shall be provided by the subdivider such that they conform to the City's Utility Master Plan.

#### **4. Rural Water Supplier**

If the water supplier is not the City of College Station, the waterlines shall be sized to accommodate both domestic use and future fire protection for the subdivision. Fire protection in terms of standard fire hydrants will be added at a future date when the system is connected to the City of College Station's water distribution system, wherein both pressure and supply will be adequate to support traditional hydrants. The design of the waterlines shall be in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer. Adequately sized waterlines shall be provided by the subdivider such that they conform to the City's Utility Master Plan.

#### **5. Water Wells**

Water wells may be allowed in cases where supply by the City of College Station system or a rural water supplier is not possible. If water wells will be used, all locations shall be approved by the City Engineer to assure adequate clearances from sanitary sewers, septic systems and compliance with all applicable city, state and federal regulations. These locations must be shown at the time of platting.

### **P. Fire Protection**

#### **1. Goal**

To provide an adequate level of fire protection and emergency service to all lots within rural residential subdivisions.

#### **2. Standard Fire Protection**

In the case where connection to the City of College Station water distribution system is required, public fire hydrants shall be designed and installed as a part of the water distribution system. Fire hydrants shall be designed in accordance with all applicable City, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer.

##### **a. Hydrant Location and Spacing**

Hydrants shall be located so they are visible and accessible. Locations at or near street intersections are preferred. Spacing between hydrants shall be no greater than 1500 feet along roadways. No property shall be greater than 750 feet from the nearest hydrant. All hydrant locations shall be approved by the City Engineer.

### **3. Non-Standard Fire Protection**

In the case where a rural water supplier will be used for domestic supply, the subdivider shall install a reliable water supply for fire protection by constructing either a lake, pond or cistern located centrally within the subdivision. Dry hydrants, as necessary, shall be located on these water supply sources. The water supply source and the dry hydrant shall be designed in accordance with current NFPA 1231 standards. As listed in Section \_ of this ordinance, a predevelopment meeting is mandatory for a subdivision using non-standard fire protection. The subdivider shall present a conceptual drawing with the dry hydrant location(s) shown and its proximity to all lots. This shall be drawn to a standard engineering scale. The City Engineer will evaluate distance and travel time of emergency vehicles to determine if the layout is acceptable.

### **4. Structures within Rural Residential Subdivisions**

Due to the limited ability of the fire protection system, and to protect the health and safety of College Station residents, residential structures constructed within rural residential subdivisions shall:

- a. Not be located more than 500 feet from the public street. If they are located at a distance greater than 500 feet from the public street, then a 20 foot wide all-weather surface, meeting current engineering standards shall be provided to the structure prior to bringing combustibles on-site and
- b. Not be located more than 2,000 feet off a public street unless approved by the Fire Marshal. This shall be allowed only in the case of unusual topography.

Further, any bridge or culvert installed on roadways or on an individual lot, where the structure is located more than 500 feet from the public street, must be designed to handle emergency traffic loading.

## **Q. Sanitary Sewers**

### **1. Goal**

To provide adequate sanitary sewer service to all lots within rural residential subdivisions, that does not compromise public health or the future of the City of College Station gravity sewer collection system.

### **2. Gravity Sanitary Sewer System Required**

At the time of zoning, a determination shall be made as to whether the subdivision must connect to the existing sanitary sewer system or if an on-site sewage disposal system (private septic system) will be allowed. If it is determined at the time of zoning that a gravity sewer system is required, the design of such shall meet all applicable city, state and federal regulations, City design standards and acceptable engineering standards. Adequately sized sewerlines shall be provided by the subdivider such that they conform to the needs of the sewer service area and the City's Utility Master Plan.

### **3. Sanitary Sewer Master Plan**

- a.** If it is determined at the time of zoning that on-site sewage disposal systems (private septic systems) will be allowed, a gravity Sanitary Sewer Master Plan shall be designed for the subdivision.
- b.** This Master Plan is required to assure that:
  - (1)** All lots, at some future date, can be connected by gravity service line to the future sewer collection system;
  - (2)** Adequately sized sewerlines shall be provided within the subdivision's sewer master plan such that they conform to the City's Utility Master Plan;
  - (3)** All lines designed within this Master Plan shall meet all applicable city, state and federal regulations, City design standards and acceptable engineering standards;
  - (4)** This Master Plan shall consist of: verbiage explaining all design assumptions, plan and profile layouts of all future gravity lines to be constructed within the subdivision, and a minimum finished floor elevation established for each lot to assure a connection to the future gravity sewer collection system;
  - (5)** All minimum finished floors established by this Master Plan shall be placed on the respective lots on the Final Plat; and
  - (6)** Said Master Plan shall be adopted by ordinance by City Council prior to final plat approval by the Planning and Zoning Commission.

### **4. Private Septic System Licenses**

On-site sewage disposal systems (private septic systems) shall be designed to meet all requirements of the Brazos County Health Department. The system shall be licensed through the same agency and the license shall be kept current.

## **R. Drainage**

### **1. Goal**

To provide adequate drainage facilities within Rural Residential Subdivisions, that do not compound flooding and provide roadway facilities with adequate drainage to allow safe ingress/egress.

### **2. Drainage Design**

Drainage shall be provided to handle runoff from the subdivision in accordance with the City of College Station Drainage Policy and Design



Standards. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

### **3. Roadside Ditches**

Roadside ditches shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. They shall be a minimum of 18 inches deep, except in areas where the topography deems it inappropriate.

### **4. Culverts**

Culverts shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. The minimum size of any culvert shall be 18 inches. Safety end treatments, headwalls or wingwalls are required as appropriate.

## **S. Utility Lines**

All utility lines that pass under streets shall be installed before the street is paved, with embedment, backfill, and depths in accordance with City engineering design standards and specifications, or the crossing shall be bored.

## **T. Gas or Oil Lines**

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over 60 pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a minimum cover of 30 inches, and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than 300 feet. The signs shall be installed by the utility company, state that the line is high pressure, shall name the product or products transported therein, the utility company name and an emergency phone number.

## **U. Street Lights**

### **1. Goal**

To provide adequate street lighting for the protection of property and the public, while in keeping with a rural setting subdivision.

### **2. Standards**

Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

- a.** The type and size of luminaire, and the installation and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the Developer, subject to the approved street light pole standards of the Public Utilities Department.

- b. The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be 5 feet in width.
- c. The installation of subdivision lighting shall be performed by either of the following:
  - (1) By City, subject to cost reimbursement as provided in Section herein.
  - (2) By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

### **3. Locations**

Street lights shall be required at the following locations within rural residential subdivisions:

- a. At all street intersections, and
  - b. At the end of all cul-de-sacs greater than 300 feet in length.
- The subdivider may request street lights at other locations within the subdivision, given that the locations do not exceed the current standard for street light provision as outlined in Section 2.1F.24 , Street Lights, contained herein.

## **V. Electric Service**

### **1. Goal**

To provide adequate electrical service to all lots within a Rural Residential Subdivision, that is in keeping with a rural setting and does not compromise the integrity of the City of College Station electrical distribution system.

### **2. Determination of Supplier**

All subdividers of rural residential subdivisions shall ascertain which local electric supplier is certificated to serve the proposed subdivision. Where the supplier of electric service is other than the City of College Station, the supplier must meet all the applicable City ordinances and have construction specifications approved by the City's electrical engineer.

### **3. Installation**

At the developers discretion, lateral electric lines and service lines supplying electric utility service shall be placed either overhead or underground.

**4. Easements**

The subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use.

**5. Underground Service**

Where underground electric service is selected, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed.

**6. Underground Conduit**

The subdivider shall be responsible for furnishing and installing, and the expenses related thereto, conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the electrical department prior to installation.

**7. Auxiliary Equipment**

Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground.

**W. Monuments and Corner Markers**

All monumentation for a Rural Residential Subdivision shall be in accordance with Section \_ of this ordinance contained herein."

**2.4 Special Requirements in the District A-OR: Rural Residential Subdivision**

**A. Purpose**

This district allows different infrastructure standards from the more urbanized developments within the City and is intended for developments of a minimum of 100 acres that are to be subdivided into Single-family tracts no smaller than one acre each. Generally, locations are intended to be at the periphery of the City where infrastructure may not yet be available and not within the urbanized core. In the developed area of the City where infrastructure is available for extension there may be locations where a rural subdivision would be appropriate depending on surrounding land uses and the existing road system.

**B. Submission Procedure**

The initial submission to the Planning and Zoning Commission shall consist of a request for zone change, a Preliminary Subdivision Plat and a Preliminary Development Plan. If these are approved by the Planning and Zoning Commission, they will be sent forward to the City Council with a recommendation for approval of the zone change request with the condition that a final plat, final development plan (including a sanitary sewer master plan

illustrating how each lot within the subdivision will eventually be gravity sewerage) and all related information be presented to the City Council through the Planning and Zoning Commission within one year from the date of approval of the zone change request. If this condition is not met within this one year, then the zoning shall revert to that prior to the request. This period of one year may be extended for an additional twelve month period on presentation and approval of information acceptable to the Planning and Zoning Commission and the City Council that extenuating circumstances, beyond the control for the developer, have prevented compliance within the one year period.

#### **1. Subdivision Plat**

The subdivision plat shall be as required by the Subdivision Regulations section regarding Rural Subdivision Standards.

#### **2. Development Plans**

Plans, reports and related information shall be presented in sufficient detail to enable the Planning and Zoning Commission and the City Council to evaluate the proposed development in accordance with the provisions of this section. The Planning and Zoning Commission and the City Council shall ascertain that the plans for the proposed rural subdivision meet the following criteria:

- a. The proposed subdivision will be in harmony with the character of the surrounding land uses;
- b. The proposed subdivision conforms to the policies and goals of the Comprehensive Plan for development of the City and shall not be contrary to the thoroughfare or infrastructure Master Plans;
- c. The proposed subdivision will be consistent with the intent and purpose of this district; and
- d. Adjacent property will not be adversely affected.

### **2.5 Special Conditions in Area of Extraterritorial Jurisdiction**

#### **A. General**

The requirements of this section shall apply to subdivisions in the area of extraterritorial jurisdiction, with the following modifications.

#### **B. Streets**

Streets shall be in conformity with the requirements of Section 2.1F of this ordinance, except that the urban-rural section, as defined in the City engineering standards may be used. This section does not require curb and gutter, but requires all-weather, gravel or crushed stone base, road surface with not less than a two course inverted penetration asphalt surface, and shall be not less than 24 feet in width, with a 10 foot shoulder on each side. If this section is used, the minimum right-of-way width shall be 70 feet, and if a major street, as

shown on the master plan of streets, crosses or forms a boundary of the subdivision, the right-of-way width shall be as required in the street section.

**C. Lot Width**

If the subdivider constructs streets under the urban rural section, as authorized in Section \_ above, the minimum lot width shall be 100 feet.

**D. Water Supply**

Fire hydrants are not required. The water supply system shall comply with the requirements of the Texas State Department of Health.

**E. Sanitary Sewers**

The sanitary sewer system shall comply with requirements of the Texas State Department of Health.

**F. Drainage**

Drainage may be by surface channels.

**G. Street Lights**

Street lights are not required.

**H. Electric Service**

Electric service will not be supplied by the City.

**I. City Participation**

The City will not participate in the cost of the subdivision or utilities outside the City limits, including garbage collection and street maintenance.

## **2.6 Requirements For Park Land Dedication**

**A. Purpose**

1. This section is adopted to provide recreational areas in the form of neighborhood parks as a function of subdivision and site development in the City of College Station. This section is enacted in accordance with the Home Rule Powers of the City of College Station, granted under the Texas Constitution, and the statutes of the State of Texas, including, but not by way of limitation, Texas Local Gov't Code Chapter 212 (Vernon 1988; Vernon Supp. 1999). It is hereby declared by the City Council that recreational areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the City, whether such development consists of new construction on vacant land or rebuilding and remodeling of structures on existing residential property.

2. Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities and located within convenient distances from a majority of the residences to be served thereby. The park zones established by the Parks and Recreation Department and shown on the official Parks and Recreation map for the City of College Station shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The primary cost of neighborhood parks should be borne by the ultimate residential property owners who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities.

Therefore, the following requirements are adopted to effect the purposes stated above and shall apply to any land to be used for residential purposes:

## **B. General Requirement**

Dedications shall cover both land and development costs for neighborhood parkland for all types of residential development.

### **1. Land Dedication**

- a. Whenever a Final Plat is filed of record with the County Clerk of Brazos County for development of a residential area in accordance with the planning and zoning regulations of the City, such plat shall contain a clear fee simple dedication of an area of land to the City for park purposes. For single family developments this area shall be equal to one acre for each 101 proposed dwelling units. For duplex and other multi-family development this area shall be equal to one acre for each 134 proposed dwelling units.
- b. Any proposed plat submitted to the City for approval shall show the area proposed to be dedicated under this section. The required land dedication of this subsection may be met by a payment of money in lieu of land when permitted or required by the other provisions of this section.
- c. In the event a plat is not required this dedication shall be met prior to the issuance of a Building Permit.

### **2. Fee in Lieu of Land**

- a. A land owner responsible for dedication under this section may elect to meet the requirements of Section 1 above , in whole or in part by a cash payment in lieu of land, in the amount set forth below. Before making this election, the land owner must obtain approval for the cash payment in lieu of land from the Planning and Zoning Commission pursuant to the plat approval procedures set out in Section **Error! Reference source not found.** of this ordinance. Such payment in lieu of land shall be made at or prior to the time of filing the final plat for

record at the Courthouse or prior to the issuance of a building permit where a plat is not required.

- b. The fee in lieu of land dedication requirement shall be met by a payment of a fee set from time to time by resolution by the City Council, sufficient to acquire neighborhood parkland. Cash payments may be used only for acquisition or development of a neighborhood park located within the same zone as the development.

### **3. Park Development Fee**

In addition to the land dedication, there shall also be a fee set from time to time by resolution of the City Council sufficient to provide for development of the land to meet the standards for a neighborhood park to serve the zone in which such development is located.

### **4. Park Development in Lieu of Fee**

A developer has the option to construct the neighborhood park improvements in lieu of the park development fee. Development plans and specifications shall be reviewed and approved by the Parks Board. All improvements shall either be financially guaranteed or accepted by the City prior to the filing of a plat in the case of platted developments or prior to issuance of certificates of occupancy in the event that platting is not required. Once improvements are accepted by the City the developer shall deed the property and improvements to the City.

- 5. In instances where an area of less than five acres is required to be dedicated, the City shall have the right to accept the dedication for approval on the final plat, or to refuse same, after consideration of the recommendation of the Planning and Zoning Commission and the Parks and Recreation Board. The City shall have the right to require payment of cash in lieu of land in the amount provided above, if it determines that sufficient park area is already in the public domain in the area of the proposed development, or if the recreation potential for that zone would be better served by expanding or improving existing parks.
- 6. The dedication required by this section shall be made by filing of the final plat or contemporaneously by separate instrument unless additional dedication is required subsequent to the filing of the final plat. If the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment of the cash in lieu of land amount provided above, or by the conveyance of an entire numbered lot to the City.
- 7. The City may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the City does purchase park land in a park zone, the City shall have the right to require subsequent park land dedications for that zone to be in cash only. This will be to reimburse the City its purchase cost. Once the City has been reimbursed entirely for

all such park land within a park zone, this subsection shall cease to apply, and the other subsections of this section shall again be applicable.

**C. Prior Dedication; Absence of Prior Dedication**

1. Credit shall be given for land and/or money dedicated pursuant to Ordinance 690 or 983.
2. If a dedication requirement arose prior to passage of this section, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual density of structures constructed upon property is greater than the former assumed density.
3. At the discretion of the City, any former gift of land to the City may be credited on a per acre basis toward eventual land dedication requirements imposed on the donor of such lands. The City Council shall consider the recommendation of the Planning and Zoning Commission and the Parks and Recreation Board in exercising its discretion under this subsection.

**D. Special Fund; Right to Refund**

1. There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this section or any preceding ordinance, which fund shall be known as the park land dedication fund.
2. The City shall account for all sums paid in lieu of land dedication under this section with reference to the individual plats involved. Any funds paid for such purposes must be expended by the City within five years from the date received by the City for acquisition and/or development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first in, first out basis. If not so expended, the owners of the property on the last day of such period shall be entitled to a prorata refund of such sum, computed on a square footage of area basis. The owners of such property must request such refund within one year of entitlement, in writing, or such right shall be barred.

**E. Comprehensive Plan Considerations**

1. The Park and Open Space Plan is intended to provide the College Station Parks and Recreation Advisory Board with a guide upon which to base future decisions. Because of the need to consider specific characteristics in the site selection process, the park locations indicated on the Plan are general. The actual locations, sizes, and number of parks will be determined when development occurs. The Plan will also be used to locate desirable park sites before development occurs, and those sites may be purchased by the City or received as donations.



2. Park Zones are established by the City's Comprehensive Plan and are configured to indicate service areas for neighborhood parks. Zone boundaries are established that follow key topographic features such as major thoroughfares, streams and City limit lines.

#### **F. Additional Requirements; Definitions**

1. Any land dedicated to the city under this section must be suitable for park and recreation uses. Consideration will be given to land that is in the floodplain or may be considered "floodable" even though not in a federally regulated floodplain as long as, due to its elevation, it is suitable for park improvements.
  - a. Neighborhood park sites should be adjacent to residential areas in a manner that serves the greatest number of users.
  - b. Neighborhood park sites should be located so that users are not required to cross arterial roadways to access them.
  - c. Sites should not be severely sloping or have unusual topography which would render the land unusable for organized recreational activities.
  - d. Sites should have existing trees or other scenic elements.
2. Parks should be easy to access and open to public view so as to benefit area development, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land uses. The following guidelines should be used in designing parks and adjacent development.
  - a. Where physically feasible, park sites should be located adjacent to schools in order to encourage both shared facilities and the potential co-development of new sites.
  - b. A proposed subdivision adjacent to a park may not be designed to restrict reasonable access to the park from other area subdivisions. Street connections to existing or future adjoining subdivisions may be required to provide reasonable access to parks.
  - c. Where a non-residential use must directly abut a park, the use must be separated by a screening wall or fence and landscaping. Access points to the park may be allowed by the Planning and Zoning Commission if public benefit is established.
  - d. It is desirable that a minimum of fifty percent (50%) of the perimeter of a park should abut a public street. In all cases, the City shall approve the proposed street alignment fronting on City parks.

- e. Streets abutting a park shall be built in accordance with the thoroughfare plan and the standards of this ordinance; however, the City may require any residential street built adjacent to a park to be constructed to collector width to ensure access and prevent traffic congestion. The developer may request oversized participation in such instance.

#### **G. Consideration and Approval**

Unless provided otherwise herein, an action by the City shall be by the City Council, after consideration of the recommendations of the Planning and Zoning Commission and the Parks and Recreation Board. Any proposal considered by the Planning and Zoning Commission under this section shall have been reviewed by the Parks and Recreation Board and its recommendation given to the Commission. The Planning and Zoning Commission may make a decision contrary to such recommendations only by a concurring vote of at least five members. Should the Planning and Zoning Commission be unable to get this vote, the matter shall then be referred to the City Council for its decision.

#### **H. Review of Dedication Requirements**

The City shall review the fees set forth in this section every three years. The City shall take into account inflation as it affects land and park development costs as well as the City's targeted level of service for parkland per one thousand population. Fees shall be set by resolution of the City Council.

### **2.7 Subdivision Improvement Guarantees**

- A. If the subdivider elects to construct the required improvements prior to recording of the plat, after such plat has been approved, all such construction shall be inspected while in progress, by the City Engineering department, and must be approved upon completion by the City Engineer. A certificate by the City Engineer that the construction conforms to the plans and specifications and the standards contained in or referred to herein must be presented to the Planning and Zoning Commission prior to approval of the Final Plat.
- B. If the subdivider decides or elects to file security in lieu of completing construction prior to Final Plat approval, he may utilize one of the following methods of posting security. If the subdivider elects to file security, the plat shall not be approved unless the subdivider has done one of the following:

#### **1. Performance Bond**

Has filed with the Planning and Zoning Commission a bond executed by a surety company holding a license to do business in the State of Texas, and acceptable to the City of College Station on a form approved by the City, in an amount of the improvements as estimated by the City Engineer. The Performance Bond shall be approved as to form and legality by the City Attorney;

## **2. Trust Agreement**

Has placed on deposit in a bank or trust company in the name of the City, and approved by the City, in a trust account, a sum of money equal to the estimated cost of all improvements required by this chapter, the cost and the time of completion as estimated by the City Engineer; selection of the trustee shall be subject to approval by the city and the trust agreement shall be executed on the form provided by the city and approved as to form and legality by the City Attorney. Periodic withdrawals may be made from the trust account for a progress payment of installation costs. The amount of withdrawals shall be based upon progress work estimates approved by the City Engineer. All such withdrawals shall be approved by the trustee; or

## **3. Unconditional Guarantee from Local Bank or Local Savings & Loan Association or Other Financial Institution as Approved by the City of College Station**

**a.** Has filed with the Planning and Zoning Commission a letter, in a form approved by the City, signed by a principal officer of a local bank, local savings and loan association or other financial institution, acceptable to the city, agreeing to pay to the City of College Station, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider is responsible under this chapter. The guaranteed payment sum shall be the estimated costs and scheduling as prepared by the subdivider's engineer and approved by the City Engineer. The letter shall state the name of the subdivision and shall list the improvements which the subdivider is required to provide.

- C.** If one of the three types of security is filed by the subdivider as set forth in Section B above, the City Engineer shall inspect the construction of improvements while in progress, and, shall inspect such improvements upon completion of construction. After final inspection, he shall notify the subdivider and the City Attorney in writing as to its acceptance or rejection. He shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. If he rejects such construction, the City Attorney shall, on direction of the City Council, proceed to enforce the guarantees provided in this chapter.
- D.** When good cause exists, the City Engineer may extend the period of time for completion as set forth in Section 2.6B of this ordinance. Such extension of time shall be reported to the Commission and recorded in the minutes. No such extension shall be granted unless security as set forth in Section B above, has been provided by the subdivider covering the extended period of time.
- E.** Neither the subdivider nor the contractor nor the subcontractor shall make a connection to or tap into the city water distribution system, electric system, or sanitary sewer system. The subdivider shall furnish all necessary materials to make the final tap or connection.

- F. The subdivider shall require his construction contractors, with whom he contracts for furnishing materials and for installation of the improvements required under this chapter, and shall himself be required to furnish to the city a written guarantee that all workmanship and materials shall be free of defects for a period of one year from the date of acceptance by the City Engineer.

## **2.8 Responsibility For Payment For Installation Costs**

### **A. General**

The subdivider shall pay all costs of materials and installation of streets, alleys, sidewalks, drainage and utilities, except as follows:

### **B. Streets**

Subject to statutory restrictions and approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of thoroughfares where the width required by the City is in excess of those requirements specified in Section \_ of this ordinance. and agreeing to participate in the extra cost according to the following guidelines:

1. The proposed thoroughfare and right-of-way, necessary for it must be located inside the City limits of the City of College Station at the time the construction of the streets is to begin;
2. The plans and specifications for the construction of the proposed thoroughfare must have been reviewed and approved by the City Engineer of the City of College Station;
3. The street must meet the criteria described in the City's "Future Land Use Plan", as follows:
  - a. A Principal Arterial located and designed to provide a direct traffic route over fairly long distances within the metropolitan area. It is intended that traffic volumes be relatively high, but speeds are high enough only to ensure smooth flow. Access controls are provided only at major traffic junctures with traffic controls located at most intersections. Frontage is either limited or controlled by use of service road. Texas Avenue and University Drive are examples of principal arterials.
  - b. A minor arterial located and designed to serve the high volume traffic needs of the local area. These routes are continuous through the community, and should connect with similar thoroughfares in adjacent cities. Access is controlled through placement of entering streets, driveway prohibitions, medians, left-turn lanes, and signalization. Holleman Drive and Southwest Parkway are examples of minor arterials.

4. A preliminary request for oversize participation, based upon an engineer's estimate for the project, must be presented to the City Council prior to the beginning of construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order, with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. The City Council approval and participation shall be contingent and subject to commencement within one year of City Council approval and completion of the thoroughfare by the date so designated by the City Council. If construction of an approved project is not either begun within one year of City Council approval, or completed by the date designated by the City Council, then City Council approval shall be automatically revoked, the funds will be returned to the oversize street fund and will be available for the next request. After the street has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate;
5. The City's participation shall be limited to a percentage of construction costs and the actual value of the undeveloped land in excess of that required for the thoroughfare as established by an appraisal prepared by a MAI appraiser approved by the City Right-of-Way Agent, which appraisal is acceptable to the City Right-of-Way Agent. The cost of the appraisal shall be borne by the subdivider;
6. At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the thoroughfare to the City. The City Council may elect not to participate or it may elect to limit participation; and
7. The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the Council agrees otherwise and the project is placed out to public bid.

**C. Water Supply**

Subject to the statutory requirements and the approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of water pipelines according to the following guidelines:

1. A determination must be made by the City Engineer that the additional capacity is necessary for serving areas beyond the limits of the area established by the subdivider's master development plan. But however, in no event will the City participate in the cost of a waterline of a diameter of eight inches or less;
2. The proposed waterline must be located inside the City limits of the City of College Station at the time the construction of the waterline begins;

3. The plans and specifications for the construction of the waterline must have been reviewed and approved by the City Engineer of the City of College Station;
4. The waterline must be new;
5. A preliminary request for oversize participation based upon an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. The City Council approval and participation shall be contingent and subject to commencement within one year if so designated by the City Council. If construction of an approved project has not begun within one year of City Council approval, or completed by the date designated by the City Council, then the City Council approval shall be automatically revoked, the funds will be returned to the oversize waterline participation fund and will be available for the next request. After the water line has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate;
6. The City's participation will be limited to a percentage of construction costs only;
7. At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the waterline to the City. The City Council may elect not to participate or it may elect to limit participation; and
8. The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the City Council agrees otherwise and the project is placed out to public bid.

#### **D. Sanitary Sewers**

Subject to statutory requirements and the approval of the City Council, the City may enter into a development agreement agreeing to participate in the cost of sanitary sewer lines according to the following guidelines:

1. A determination must be made by the City Engineer that additional capacity and/or depth is necessary for serving areas beyond the limits of the area established by the subdivider's master development plan. But however, in no event will the City participate in the cost of a sewerline of a diameter of eight inches or less;

2. The proposed sanitary sewerline must be located inside the city limits of the City of College Station at the time construction of the sanitary sewerline begins;
3. The plans and specifications for the construction of the sanitary sewerline must have been reviewed and approved by the City Engineer of the City of College Station;
4. The proposed sanitary sewerline must be new;
5. A preliminary request for oversize participation based upon an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, the funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. The City Council approval and participation shall be contingent and subject to commencement within one year of City Council approval and completion of the thoroughfare by the date so designated by the City Council. If construction of an approved project is not either begun within one year of City Council approval, or completed by the date designated by the City Council, then the City Council approval shall be automatically revoked, the funds will be returned to the oversize sewerline fund and will be available for the next request. After the sewerline has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate;
6. The City's participation shall be limited to a percentage of construction costs only;
7. At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the proposed sewerline to the City. The City Council may elect to not participate or it may elect to limit participation; and
8. The City's participation will be limited to a maximum of thirty percent (30%) of the engineer's estimate unless the City Council agrees otherwise and the project is placed out to public bid.

**E. Bridges/Culverts**

The subdivider shall, at his own cost, dedicate all rights-of-way and construct all drainage facilities according to the Drainage Policy and Design Standards of the City of College Station. When, in order to comply with the Drainage Policy and Design Standards, it is necessary to install bridges with hydraulic capacity in excess of that required to serve the area being developed, the developer shall construct such oversize structures.

The City may participate in the cost of oversized bridge structures according to the following guidelines:

1. The proposed bridge or culvert must be located inside the city limits of the City of College Station at the time construction of the bridge or culvert begins;
2. The plans and specifications for the construction of the bridge or culvert must have been reviewed and approved by the City Engineer of the City of College Station;
3. The proposed bridge or culvert must be on a new street. ;The street must meet the criteria described in the City's "Future Land Use Plan" for a major or minor arterial. The bridge or culvert must either have a span greater than 20 feet or have an open end area greater than 200 square feet. Considered in the cost will be the bridge or culvert structure itself, headwalls and wingwalls;
4. A preliminary request for oversized bridge and culvert participation based on an engineer's estimate for the project must be presented to the City Council prior to beginning construction. Upon approval of a preliminary request, funds will be encumbered through a purchase order with the total not to exceed the City's share plus a ten percent (10%) contingency for participation in the approved project. The City Council approval and participation shall be contingent and subject to commencement within one year of City Council approval and completion of the thoroughfare by the date so designated by the City Council. If construction of an approved project has not begun within one year, of Council approval, or completed by the date designated by the Council then Council approval shall be automatically revoked, the funds will be returned to the oversized bridge fund and will be available for the next request. After the bridge or culvert has been completed and accepted by the City Engineer, payment may be requested. Payment will be contingent upon the City's receipt of a deed for the land and improvements, an updated title report, and lien subordinations from all lenders. The cost of the City's participation shall not increase more than ten percent (10%) over the amount calculated using the engineer's estimate;
5. The City's participation shall be limited to a percentage of construction costs only;
6. At the time of the preliminary request, the City Council reserves the right to evaluate the overall economic benefit of the proposed bridge or culvert to the City. The City Council may elect not to participate or it may elect to limit participation; and
7. The City's participation will be based on the percent hydraulic capacity required in excess of the capacity needed to serve property owned or controlled by the developer. The amount of participation by the City shall



be limited to a maximum of thirty percent (30%) of the cost of the bridge.  
No other participation payment shall be made on the same request.

**F. Electric Service Costs**

**G. Street Lights**

The developer shall pay the entire cost of the subdivision street light installation, including the cost of service lines to supply electricity to the street lights, and all engineering design costs. Once satisfactorily installed, approved, and accepted, the maintenance of the street lights and the furnishing of electric energy to the street lights shall be provided by the City.

**H. Street Signs**

The City will install street signs at no cost to the subdivider.

**I. Engineering**

1. The City will charge for engineering inspection during construction and for final inspection as established by City Council resolution from time to time; however, it is to be understood that the City will do no layout work or daily inspection.
2. The City may require compaction tests on embankments and flexible bases, and depth tests on flexible bases and pavements, and pressure tests on piping systems, before final inspection and approval. Charges for such inspection shall be as established by City Council resolution from time to time.

**2.9 Planned Unit Development**

- A. Standards and requirements of this chapter may, subject to approval of the City Council, be modified by the Commission in order encourage a complete and unique residential, business, or industrial development, with full consideration for public health, safety, and welfare.
- B. A planned unit development may, under unusual circumstances, require no subdivision of land; however, generally if division into lots, drainage easement, utility easement, streets, parks, or other public lands are to be provided, or are required by the City, the requirements of this chapter for submission of a preliminary plat and a final plat shall be complied with.
- C. A planned unit development requires a change in zone, as provided in Section **Error! Reference source not found.** of this ordinance.

## **2.10 Special Provisions**

### **A. Plat Required**

The subdivider of a tract of land located within the limits or in the extraterritorial jurisdiction of the City shall prepare and submit for approval a plat of the subdivision in accordance with Section 2.1 of this ordinance.

### **B. Unapproved Final Plat**

No building, repair, plumbing, or electrical permit shall be issued by the City for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record.

### **C. Noncompliance with Standards**

No building repair, plumbing or electrical permit shall be issued for any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.

### **D. No City Maintenance**

The City shall not repair, maintain, install or provide any streets or public utilities or services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.

### **E. No Utility Service**

The City shall not sell or supply water, gas, electricity or sewerage within a subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein have not been complied with in full.

### **F. Record of Noncompliance**

If any subdivision exists for which a final plat has not been approved or in which the standards contained herein or referred to herein have not been complied with in full, the City Council shall pass a resolution reciting the fact of such noncompliance or failure to secure final plat approval, and reciting the fact that the provisions of this section shall apply to the subdivision and lots therein.

1. The City secretary shall, when directed by the City Council, cause a certified copy of such resolution under the corporate seal of the City to be filed in the Deed Records of the County.
2. If such compliance and final plat approval are secured after the filing of such resolution, the City Secretary shall forthwith file an instrument in the Deed Records of the County stating that this section no longer applies.

### **G. Grandfather Provisions**

Provided, however, that the provisions of this section shall not be construed to prohibit the issuance of permits for any lot or undivided tract or parcel of land

upon which a residence exists and was in existence prior to the passage of this subdivision ordinance, nor to prohibit the repair, maintenance, or installation of any street or public utility service for, to, or abutting any lot, the last record conveyance of which prior to passage of this ordinance was by metes and bounds, and/or any subdivision, or lot therein, recorded or unrecorded, which subdivision was in existence prior to the passage of this ordinance."